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'Drug Menace' Debunked

SELMA, ALA., Feb. 1 — (AP) — Thomas Guilford, principal of A. G. Parrish High here, wants it known there's no marijuana smoking at his school as far as he can find out.

Guilford said two mothers, hearing of teen-agers smoking "reefers" in other sections of the country, asked if Parrish had a similar problem.

"Please tell anyone asking you," Guilford told students and teachers, "that no such thing goes on at Parrish High."

A reassuring report on the "drug menace" especially among youngsters is given by John Gerrity in *Harper's*. It appears that we are not raising a new generation of "dope fiends". In fact, there is much less drug addiction than a generation ago.

Gerrity, a Washington newspaperman and father, set out to get the facts about the narcotics scare. This scare came to life during the New York State investigation and the Kefauver and O'Conor committee crime hearings. These exposed the illegal narcotics traffic as "a frightening menace to the youth of America." They furnished inspiration for numerous sensational enlargements and much viewing with alarm.

Actually, Gerrity reports, giving the federal Bureau of Narcotics as his authority, although there has been a "spotty increase" in number of arrests of drug addicts since the end of War II, there is today "50% less addiction than there was a generation ago."

Thirty years ago, he points out, morphine was sold over grocery and drug store counters as freely as butter or horehound drops. In War I, one draftee out of every 1,500 was rejected as a drug addict, in War II, it was one out of 10,000. "Today, for the first time, there are vacant beds in the federal Narcotics Hospital in Lexington, Ky."

The federal narcotics agency places the number of drug addicts in the United States at only 50,000 or 60,000. Most of these, along with the peddlers who serve them, are found in seven major cities—New York, Baltimore, Philadelphia, Detroit, Chicago, New Orleans, and Washington, D. C.

Gerrity gives Dixie, east of New Orleans and including Alabama, an especially fine rating in the matter of juvenile addiction: "From Virginia as far south as Florida and as far west as New Orleans, not a single teen-age addict is known to exist." He reports also that "except for a rare case in Boston, New England has no addictions."

As evidence of magnification of the scare in Washington, D. C., Gerrity calls attention to tests by the school board—every one of 15,000 public and parochial high school students undergoing thorough physical examinations. They found three students sufficiently addicted to heroin to require hospital and psychiatric care.

In the seven cities mentioned as strongholds of drug addicts, Gerrity noted common factors figuring in their bad records. Several of them are ports; each has its slum section, a high transient population and a large permanent Negro population.

The latter point was cited as meriting particular attention; more than six out of every 10 peddlers and addicts arrested in the seven "addiction centers" are Negroes. "It is no secret, even to the rankest amateur in sociology" Gerrity observed, "that Negroes are herded together in the overcrowded, submarginal parts of cities, and that they include large numbers of underprivileged people who are likely to seek release from their miseries in alcohol or drugs."

As for the general picture, he concedes that there will always be some illegal drug traffic: "A few doctors will continue to write illegal prescriptions. Still fewer pharmacists will illegally renew prescriptions for morphine and barbiturates. And thieves will always rob drug stores."

But, he adds, "as for the widely publicized 'drug menace' which is supposed to be threatening the future of teenagers by the hundreds of thousands, it simply doesn't exist."

If Gerrity is right—and he presents some impressive data in substantiation—the dope scare looks like another case of gloomy forebodings that the new crop of [illegible] where too many were too ready to be-boys and girls cannot possibly be as [illegible] lieve the worst about the younger gen-good as they were.

[illegible] eration (an occupational infirmity of all "older generations" since Adam). In [illegible] realms entirely apart from drug addiction, the occasional juvenile black sheep is held up as typical of the new and inferior breed and proof positive that it is headed for the dogs in its entirety or with rare exceptions.

As the politicians are continually re[illegible] minding us, the boys and girls of to[illegible] are the men and women of tomor[illegible]

Negro Confession Told In Policeman Knifing

MOBILE, Ala., March 3 (AP)—Police Chief Dudley McFadyen said today two Negroes had signed statements that they knifed an off-duty motorcycle patrolman who quelled a city bus disturbance.

The patrolman, Doug Thompson, 41, was reported in fair condition at City Hospital with a stab wound near his heart.

The two Negroes were listed as Washington Allen, 21, and Delister Williams, 17. McFadyen said they were being held on open charges pending outcome of Thompson's condition.

3 Negroes Sentenced In Mobile Dope Cases

MOBILE, Ala., April 7 (AP)—Three Negroes were sentenced to a total of 8 1-2 years in two marijuana cases in federal court here today. A defense attorney declared a "marijuana scare" is on.

James Reid was convicted by a federal jury this afternoon of illegally possessing and selling 50 "reefers." He drew an 18-month prison term from Federal Judge Daniel H. Thomas.

James Vance Smith had pleaded guilty to the same charges Reed was tried on. He was sentenced to three years.

Judge Thomas earlier had sentenced Alfred L. Sprigg, described by narcotics agents as "the head of the marijuana traffic in the Negro section of Mobile" to a four-year term.

White trio sentenced for attack upon Negro

TUSCALOOSA, Ala., March 5—Three Tuscaloosa County white men were given heavy sentences in Circuit Court Monday for an assault against a Negro.

Joe Buck Willingham, James Willingham and Sam Bartain, all of the Northport area, were fined $350 each and sentenced to six months hard labor.

They were convicted for assault with intent to murder in connection with an attack last September against Raymond Jefferson, a Negro, on Main Street, Northport.

Jury Frees 2 In Air Base Brawl

MOBILE, Ala. — An all-white jury in Federal court here last Thursday acquitted two white men charged with assaulting a Negro worker at the Brookley Air Force base.

Emmett F. Brewer, 33, and Roy F. Emmons, 26, were accused of attacking Herbert P. Green, 27-year-old war veteran after Green drank from a water fountain on the base formerly used exclusiveq by whi

The attack occurred last July 11, several weeks after segregation signs were removed from the base.

Testifying at their trial, Brewer and Emmons denied they had any part in the assault on Green.

Jury Acquit White Men of Charges Of Beating Negro

MOBILE, Ala. - (ANP) - After deliberating only 30 minutes, a jury here last week cleared two white men of charges they beat a Negro co-worker because he drank at a fountain formerly reserved for white persons.

Emmert F. Brewer, 33, and Roy F. Emmons, 26, were acquitted of charges of attacking and beating Herbert Peter Green with an airplane wheel.

The row occurred last July at Brookley Air Force Base here. According to testimony presented in Federal court, Brewer requested Green to use a cup when drinking from the water fountain in the warehouse section where he worked. He said Green replied: "I don't have to. President Truman has changed all that."

President Truman's name cropped up twice during the all-day trial. Besides Green's reference to his having changed segregation on the base, the President's name was mentioned by the defense attorney in connection with the removal of white and colored signs over water fountains.

Federal Judge Daniel Thomas objected to the use of the President's name on the grounds that it injected political issues into the case.

Both white men denied they had any part in the assault on Green. They said that after Green's remark concerning President Truman, they walked away.

1951 And Narcotics

Commissioner Harry J. Anslinger, of the Bureau of Narcotics recently reported that, during 1951, the Bureau made significant progress in its war against the drug traffic. Records released showed that 948 ounces of heroin were seized last year, compared with 731 ounces in 1950.

Seizures of narcotic drugs of all classes in 1951 totaled 3,135 ounces compared with 2,416 ounces in 1950. Despite this progress, the problem is serious and the heroin traffic continues to be the most pressing problem in the enforcement agency, according to the Commissioner.

The tremendous publicity given the narcotics traffic in 1951 has resulted in an aroused public opinion, which, in turn, has resulted in stiff sentences for drug peddlers. This, the Bureau believes, will help curb the drug traffic in 1952. The Bureau appeals to citizens everywhere, in addition to regular law enforcement officials, to help in the war against the narcotics traffic.

Of the fourteen domestic districts, those with headquarters at Denver, Atlanta, Boston and Minneapolis reported fewer arrests under Federal Narcotics laws in 1951. Districts with headquarters at New York, Detroit, Houston and Chicago reported the greatest number of arrests.

Former Tax Aide Held By FBI Men On Charges Of Extortion In City

Moore Admits Threatening Lives Of Three

A debt-ridden former deputy collector of internal revenue was arrested here yesterday on three charges of extortion, and less than two hours later had pleaded guilty in federal court.

Gaines R. Moore, 38, of Montgomery, admitted to U. S. District Judge C. B. Kennamer that he threatened the lives of a Negro doctor and two white Montgomery businessmen unless they paid him $47,500.

Judge Kennamer postponed sentence until Monday, and Moore was held under $10,000 bail.

FBI agents arrested the former government employe who waived grand jury action and entered a plea of guilty before Judge Kennamer.

Moore resigned last January as deputy collector of internal revenue in the Montgomery office.

Special Agent H. O. Hawkins in charge of the FBI office in Mobile said Moore admitted sending threatening letters to the three Montgomery residents.

Names Withheld

The FBI announcement withheld the names of the victims, but U.S. Dist. Atty. E. Burns Parker identified them as: Dr. Raphaele E. Tisdale, widely known Montgomery Negro physician; Spencer Longshore, president and general manager of the Preferred Life Assurance Society in Montgomery, and David R. Franco, operator of Franco Distributing Company here.

Hawkins quoted Moore as saying he was heavily in debt (about $8,000) and that he sent the extortion letters in a desperate attempt to raise money. The FBI agent said they were mailed during August from various points in Alabama and Wisconsin.

A newspaperman, Joe Azbell of The Montgomery Advertiser, helped the FBI try to set a trap for the extortionist, the FBI disclosed.

Hawkins said Moore's letter to Longshore demanding $25,000 directed him to leave the money at the home of Azbell, who is city editor of The Advertiser. Azbell agreed to work with the federal agents, and FBI men stayed at his house day and night for five days. But no one came for the $25,000.

The FBI agent said letters to Dr. Tisdale demanded $7,500, and those to Franco asked for $15,000.

It was the second time in less than two years that Dr. Tisdale had been the victim in a plot to get money from him. The physician's two small children were kidnaped at school and held for several hours in a graveyard in 1950 while their two abductors contacted the parents.

The doctor paid a $2,000 ransom and the children were returned.

A Negro taxi driver, Eugene Smith, was convicted of kidnaping and given 45 years in prison. Another Negro, John McIntyre, pleaded guilty and got five years.

Hawkins said the victims received threatening letters throughout August, mailed from various points in Alabama and Wisconsin.

The FBI agent said Moore is a native of Chambers County, is married and the father of one child. He said the letters threatened the lives of the three Montgomery residents if they didn't comply with the demands for money.

Hawkins said that some 14 notes were sent to the three victims since Aug. 7 when the first one was mailed to Dr. Tisdale.

The first note told the Negro physician to leave $7,500 at Meyer Oberstein's Grocery. Later, he received a note telling him to change the money to Burk's Jewelers on Monroe.

Negro Boy Hired

The FBI agent said that a small Negro boy was hired by Moore to mow his lawn and that Moore drove by the store and asked the boy to get the package left there by Dr. Tisdale.

The FBI moved in on the boy after he got in a truck but Moore was gone. Agents however, observed him for a considerable time afterwards.

The other notes to Dr. Tisdale were sent from Birmingham, Aug. 8; Montgomery, Aug. 14; Birmingham, Aug. 15; Phenix City, Aug. 25; Boylston, Aug. 25; and Neenah, Wis., Aug. 30.

The Franco note directed that the money be left at Roemer's Store on Hull Street. Franco received notes from Montgomery, Aug. 14; Boylston, Aug. 25; Phenix City, Aug. 25, and Neeha, Wis., Aug. 30.

Longshore received only two notes. One was mailed Aug. 15 and the other Aug. 25. They directed the money be left at Azbell's home.

Hawkins said that the letters were sent to Neenah, Wis., by Moore in an attempt to throw the agents off his trail. He paid a letter service in Neenah 25 cents a letter to re-mail them to Montgomery.

He said the FBI had been assisted in the investigation by local law enforcement agencies in Montgomery.

Agents checked on Moore for several days after he was noticed near the Burke's Jewelry Store incident. He was brought in for questioning and it was after questioning that he was placed under arrest. Hawkins said that the man then admitted sending the extortion letters.

Longshore Is Relieved

Longshore, commenting on his experience, told The Advertiser "It's a tremendous load off me." He said he was not worried about himself as much as he was about his family.

"It just came out of a clear, blue sky," he added. "I couldn't imagine why anyone would do such a thing."

Dr. Tisdale said that he was relieved that the case had been broken. He said he knew Moore from dealing with him in the Internal Revenue office and that the man had come to him requesting a $300 loan earlier this year. Dr. Tisdale said he turned down the loan request.

City Editor Helps FBI Here Lay Trap For Extortionist

By JOE AZBELL
City Editor, The Advertiser

At 9 a.m. on Aug. 26, I was awakened at home by a telephone call.

An FBI agent spoke to me:

"Joe, can you keep in touch with me every 30 minutes the rest of the day. I want to see you sometime today but I have to see a certain man first. It's important."

As a newsman, I was interested in a story. I told him I would keep in touch but he replied: "This isn't a story—yet."

At 4:30 p.m., he called my office and said:

"I want you to go out in front of The Advertiser building, walk four blocks to High Street and wait for a car to pick you up at the Montgomery Museum of Fine Arts."

I followed his instructions and 10 minutes later I was riding in an automobile on Hull Street with three FBI agents. One of them—a close friend—told me:

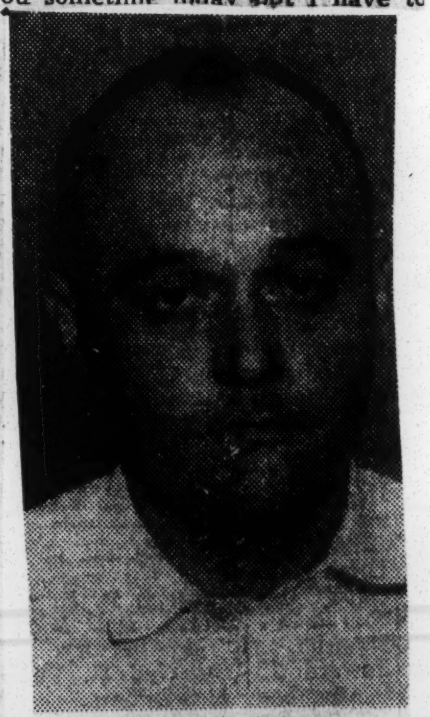
"Joe, we want you to help us. It seems you are supposed to get $25,000 and hold it for a certain party."

"What are you talking about?" I asked.

Plan Is Explained

"I'll explain," the agent said, "Three people have received extortion notes. Dr. Tisdale, Franco, and now Spencer Longshore.

"The note to Longshore says $25,000 from him is to be left at your house until the extortionist calls you on the phone, comes to get it, or contacts you in some way. We have no idea who the man is. But our plan is this. We want to put two agents in your house all the time. We will change them every 12 hours and put two more. The agents will be with you 24 hours a day and two more cars of agents will be in your neighborhood.



GAINES MOORE

"We need your co-operation in laying this trap. If there is any damages to your house in capturing the man or in any other way, we'll pay the cost. We have got to catch this man before he does something dangerous."

I told him that I would give use of my home without cost and the agents could move in any-

time. But I asked him to explain the plan to my wife.

My wife, Betty, joked after the plan was explained:

"I think it would be fun."

The agent explained that if the man came to the door and asked for the "Longshore package" I was to tell him the package was in a guest room and then tip the agents. They would do the rest.

The agents were to change shifts at 8 a.m. and 8 p.m., and they were to bring the $25,000 with them.

The next night three agents dressed in casual clothes, drove up just after dark in a panel truck and unloaded equipment and countless magazines. They were expecting a long vigil. One agent removed the truck and contact was made with two prowling cars.

Finding out about the case from the agents was a futile affair. They would tell nothing that was not originally told me.

My two-year-old daughter, Beth, liked the agents and particularly their pistols which they kept safely away from her. She would stand at the door and watch them operate certain equipment. Twice she looked up at the men and called them "daddy."

Wife Got Goosebumps

Each time the telephone rang in the daytime or night, Betty got goosebumps. She answered the telephone with a rather hoarse "hello" expecting the extortionist to be calling for the First National Bank moneybag on the dresser.

Five days passed and the "man" failed to show up. The agents decided on a different plan.

It was about time. My neighbors were beginning to think that the mysterious panel truck belonged to me or that some "cousins" were visiting. Having two strangers in the house was difficult to keep a secret in my neighborhood but the FBI accomplished the feat with merit.

On the day agents decided to abandon my house as a spot where the extortionist would show up, I got a telephone call at home to walk north on Goode until I was picked up by an FBI automobile.

"Outstanding People"

The same agents, who had originally met me at the Montgomery Museum of Fine Arts, told me that they didn't think the man would show up at my house, and they were beginning a different type of investigation.

They left that night. My wife, daughter and I enjoyed the company of the agents so much we hated to see them leave. They had spent every minute of the day for almost a week with my family and they proved to be outstanding people.

Until Thursday, I knew nothing else about the case. I got a tip through the grapevine that the case was ripe for plucking.

And yesterday, I got the story from the FBI special agent from Mobile.

When I called my wife and told her the case was ready for publication, she asked:

"Now, can I tell the neighbors?"

Moore Is Stranger

Gaines R. Moore, the man who pleaded guilty to sending the extortion notes, is a complete stranger to me.

I asked the agents why the man had picked my house.

The agent said: "The man said he saw you on a bus one day and decided to have the Longshore money sent to your house. He had written to Longshore on Aug. 15 and warned him to get the money ready. It wasn't until Aug. 25 that Longshore got the note designating your house as the drop for the money."

Being a reporter, who enjoys writing a good story, the temptation to write this story since Aug. 26, had been great but I knew the safety of Longshore and the capture of the extortionist hinged on whether the story was written.

Yesterday, when Moore was captured, I felt that the long silence—something unusual in the newspaper business—had been worthwhile.

Birmingham Cop Sentenced For Bribery

Dated 12-13-52

BIRMINGHAM. — Sam Jones, Birmingham's only Negro policeman, accused of bribery in the sale of automobile driver's licenses to unqualified persons, was given a three year sentence last week on a plea of guilty.

Also sentenced to three years on a similar plea was R. H. Weeks, a former patrol corporal working in the driver's license bureau here.

Weeks and Jones were arrested three months ago after it was charged they had operated a racket in driver's licenses.

Police said Jones made contact with Negroes who were unable to pass driver's examinations. He then brought the cards to Weeks who signed them as though they had successfully completed the driving tests.

Reward Is Offered For Negro Fugitive

Dated 9-13-52 P. 10 B

Search for an escaped Negro wanted for the beating of a white housewife was intensified yesterday with the posting of a $250 reward offer from the state.

Dated 10-5-52

Acting at the request of Circuit Solicitor J. Monroe Ward of Tuscaloosa, Gov. Gordon Persons authorized reward for recapture and conviction of Henry Lee Sanders.

The Negro fugitive, who escaped from prison while serving a 15-year murder term, has been identified by Mrs. Cullen Wilder of Coaling, Ala., as the intruder who entered her home last Thursday, struck her with a chair and ripped part of her clothing off.

Solicitor Ward, in asking Persons to post the reward, expressed belief that Sanders "is hiding locally."

Moore Faces Ruling Today On His Sanity

5 Hours Of Testimony Is Given In Hearing Before Judge Kennamer

By BETTY KILGORE

Federal Judge C. B. Kennamer will rule on the sanity of Gaines R. Moore, admitted extortionist, in U.S. District Court today.

Judge Kennamer heard a score of friends and relatives of Moore testify in court yesterday that the former deputy collector of internal revenue here is "insane."

He recessed the court without reaching a decision at 4:30 p.m. yesterday after hearing about five hours of testimony.

During the session the court room was crowded with spectators while some 18 friends and relatives testified that he has been "emotionally upset" for the last two years.

A court-appointed psychiatrist testified that Moore was suffering from a neurotic condition but was still able to tell right from wrong.

Dr. Phillip Bazar gave the testimony at the hearing where Moore is facing a sentence for a $47,500 extortion attempt.

William A. Moore, brother of the defendant, told the court how he had patterned his life after his older brother. "I often came to him for advice but strangely enough found myself giving him advice during the last two years.

"I believe before God that he is insane," he said.

Mrs. Sarah Moore, the defendant's wife, told of changes in her husband's personality during the past two years. Prior to that time, they had lived a happy married life, she said.

The couple grew up together in LaFayette and have been married 16 years. Moore was valedictorian of his high school class and "a man of unusually high intelligence." He once taught a Sunday school class.

Lately, the wife said, Moore has lost interest in his friends and has been unable to carry on a rational conversation.

She said she was convinced her husband was insane.

In response to questions from Federal Judge C. B. Kennamer, Dr. Bazar said Moore is capable of understanding the nature and seriousness of the charges against him.

Replying to questions from the defense attorney, Dr. Bazar pointed out that Moore's personality includes an "obsessive-compulsive" characteristic. He explained that a person with this quirk thinks repetitively on a pattern of behavior, frequently uselessly.

This characteristic led Moore to count window panes, walk lines and perform similar useless acts, Dr. Bazar said.

Relatives testified that Moore had been under treatment by several doctors during the past two years for a nervous disorder, and that he had been treated by a Birmingham psychiatrist just two months ago.

"He has cried repeatedly and asked his family not to leave him," witnesses testified. He "couldn't be still" and chewed his fingernails "down to the knuckles," they said.

As Judge Kennamer dismissed the court at 4:30 p.m. yesterday until 9:30 a.m. today he said, "I am very much impressed by the man's good character and realize that the trouble developed some two years ago and revolved around personal problems."

Moore was arrested Sept. 12 by federal authorities for attempting to extort $47,500 from three prominent Montgomerians. He mailed some 14 letters to Spencer Longshore, insurance executive; David Franco, owner of a distributing company, and Dr. Raphaele Tisdale, Negro physician.

Moore Given 6-Year Term

Despite an impassioned appeal for mercy, a 38-year-old former Sunday School teacher was judged sane today and sentenced to six years in federal prison for trying to extort $47,500 from three Montgomery men.

Gaines R. Moore, former deputy collector of internal revenue here, was given six years on each of the three extortion counts.

But U.S. District Judge C. B. Kennamer set the sentences to run concurrently, and Moore will serve all three at one time.

Moore pleaded guilty soon after his arrest Sept. 12, but his attorney, Hartwell Davis, later contended the defendant was mentally unbalanced and asked for a sanity hearing.

Davis sought to withdraw the guilty pleas today and get a jury trial on an insanity appeal but Judge Kennamer turned him down.

A court-appointed psychiatrist, Dr. Phillip Bazar, testified yesterday that Moore was a neurotic but able to tell right from wrong when he threatened bodily harm to a Negro doctor and two white businessmen unlceyy they paid $47,500.

Moore disclosed today that he also wrote an extortion note to Millard Westcott, Montgomery County Veterans' Service commissioner, who watched the court proceedings.

The defendant's appeal for mercy had women courtroom spectators in the courtroom in tears.

Yesterday, his wife, Mrs. Sarah Moore, testified that her husband changed about two years ago and had been "strange" ever since. She said he formerly taught a Sunday School class.

Extortionist Gets 6 Years

White Tax Collector Threatened Medic

MONTGOMERY, Ala.— Gaines R. Moore, 38, white, former deputy Internal Revenue collector, has been sentenced to six years in prison for the attempted extortion of a prominent Montgomery physician and two wealthy whites.

Federal Judge C. B. Kennamer found the man guilty of three admitted extortion attempts, one involving Dr. Raphaele E. Tisdale, former Tuskegee Institute instructor.

Moore had written letters to Dr. Tisdale demanding that he give him $7,500 or else face violence. A youth sent by Moore to collect the money was caught in a trap set by FBI agents.

Moore got away, wrote four more letters with a change of instructions about sending the money. FBI men finally apprehended Moore and he was brought to trial.

Dr. Tisdale, former president of the Ala. Medical Association, expressed relief that Moore had been nabbed and sentenced. This is the second time the doctor had been victim of a money plot.

In 1950, his two small children were kidnapped and held until $2,000 was given the kidnappers.

Moore admitted the extortion plot but pleaded insanity. Judge Kennamer ruled that he knew right from wrong at the time he demanded a total of $47,000 from Dr. Tisdale and Spencer Longshore and David R. France, two Montgomery businessmen.

Dr. Tisdale said that Moore had tried to borrow $300 from him earlier in the year and that he refused. Moore knew him because of the physician's visits to the Internal Revenue bureau in Montgomery.

Negro Admits 22 Burglaries Within City

A 22-year-old Montgomery Negro, who admitted burglarizing 29 places, was arrested by city detectives here Tuesday, Police Chief G. J. Ruppenthal announced yesterday.

The self-confessed burglar, Tunney Mims, claimed he worked as a "lone wolf" and has had no accomplices in the jobs he pulled since being released from Kilby Prison on parole last May.

The husky Negro, who stands about 6 feet and weighs almost 200 pounds, told detectives of one escapade when he carried a 300-pound office safe upsteirs from a basement and out a back door.

He also related a story of bending the blades of a heavy-gauge metal exhaust fan to gain entrance to a building.

When questioning officers expressed doubt about some of the tales, he offered to prove his story by going back to the places burglarized and repeating the performances for their benefit.

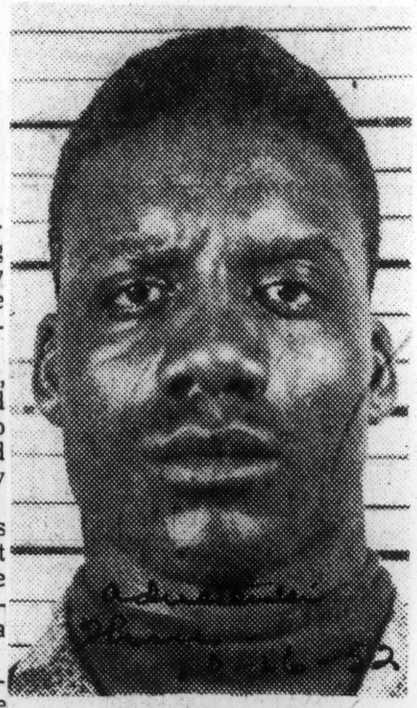
Mims' police record reaches back into his teen-age years.

He was released on parole on May 5, after serving five years of an eight-year sentence on three convictions of burglary, receiving sentence in 1947. The series of burglaries he has confessed doing began on June 1.

Mims always made his entry into the buildings he burglarized by going through a rear or side window, rear or side door, skylight or exhaust fan.

The prisoner's record included a burglary charge in 1944, when he was turned over to the Juvenile Court; fine of $25 and costs in the city court in 1945 on conviction of carrying a concealed weapon, and a sentence of 15 months on a federal charge of stealing from an interstate shipment in 1946.

In the recent burglaries, the loot consisted of small amounts of money in most cases, together with merchandise such as cigars and cigarets. One of the heaviest losers was the Florida Fish Co., 217 Columbus, where $225 cash was reported taken from the office safe on Sept. 1. Another of the bigger losses was sustained by Ashurst Drug Co., 1014 Madison Ave., where $125 worth of cigars and cigarets was missing after a burglary on June 20.



TUNNEY MIMS

Lt. E. O. Ryals also listed the following cases as cleared by admission of the prisoner: June 12, Bell Transfer Co., 518 N. Lawrence; June 14, Modern Grocery and Market, 1550 Mt. Meigs Rd.; June 24, Modern Grocery again; June 29, Knight's Grocery and Market, 251 Houston St.; July 3, Murray Motor Transport Co., 418 N. Lawrence; July 8, Montgomery Beverage Co., 515 N. Lawrence; July 8, Hormel Packing Co., 500 N. Lawrence; July 30, City Beverage Co., 409 N. Lawrence.

Aug. 2, Radio Hospital, 1048 Madison Ave., and David's Grill, 911 Madison; Aug. 10, Segrest Super Market, 624 S. Decatur St., and Cake Box Bakery, 626 S. Decatur St.; Aug. 11, Lee's Grocery and Market, 1803 Mt. Meigs Rd.; Sept. 15, Radio Hospital; Sept. 19, Kindred Grocery, 1200 Houston; Sept. 22, Knight's Grocery 251 Houston; Sept. 23, Mays Mayonnaise Co., 519 N. Lawrence; Sept. 23, Dawkins Produce Co., 515 N. Lawrence; Sept. 24, Columbia Finance Co, and Birdsey Flour and Seed Co., 201 Monroe; Sept. 27, Grove Street Grocery, 930 Grice, and Modern Grocery, 1550 Mt. Meigs; Oct. 1, Capitol Grill, corner Mt. Meigs and California; Oct. 3, Picnic Mayonnaise Co., 411 N. Lawrence; Oct. 5, Bradley Plumbing and Heating Co., 15 N. McDonough, and Oct. 6, Joseph's, Inc., 14 N. Lawrence.

There is no evidence connecting Mims with the Cloverland "mass burglary" occurring last week, Lt. Ryals said.

Alabama Crime Rate Follows National Pattern This Year

By WILBUR JENNINGS
AP Special Washington Service

WASHINGTON, Oct. 15 (AP)—Crime rates in Alabama cities were about even with the national average in the first six months of 1952.

This is shown in a report just issued by the Federal Bureau of Investigation. It notes a sharp increase in crime over the country in the first half of the year.

The FBI report deals in six major categories of crime on the basis of figures submitted by local chiefs of police.

Alabama exceeded the national average in murder and non-negligent manslaughter, aggravated assault and burglaries—breaking and entering. But it was below the national rate for robberies, larceny thefts and auto thefts.

In making up the rates, the FBI used the number of offenses known per 100,000 inhabitants.

Thus, the national average for murder and non-negligent manslaughter is listed as 2.44 for each 100,000 persons in the country. The Alabama rate was 7.33 for each 100,000 persons in the state.

In the same manner, the rates for the other five categories were, with the nation's rate and the state's rate given in that order:

Robbery, 26.6 for the nation and 17.2 for Alabama; aggravated assault, 37.2 and 69.2; burglary, breaking or entry, 189.2 and 197.8; larceny, theft, 478.2 and 302.7; and auto theft, 93.8 and 83.8.

Compared with Alabama figures for the first half of 1951, the state in 1952 showed a drop in murder and non-negligent manslaughter, burglary, breaking or entering, and larceny-theft. But this year it was up in robberies, aggravated assault, and auto thefts.

The FBI said more than a million major crimes and a 6.4 per cent nation-wide increase in crime was tallied in the first six months of 1952. A continuation of this rate would bring to well over two million the number of serious crimes for the entire year.

Slayings to 6,430 persons in the country during the first six months of 1952. More than 50,000 additional victims suffered felonious assaults while property of 29,190 individuals was forcefully taken from them by robbers.

Substantial increases occurred in all crimes over the nation except rape, during the first half of 1952. Robberies jumped 13.8 per cent, while murder with the smallest gain was up 110 deaths or 3.4 per cent. Rape dropped one-tenth of one per cent.

City crimes increased 6.4 per cent with increases in all classifications except rape for the country as a whole. Rural crimes jumped 6.6 per cent with a decrease in murders only.

During the calendar year of 1951, 64 police officers were killed in line of duty. This is a 77.8 per cent increase over 1950.

Birmingham improved its record during the first six months of 1952 over the same period of last year in murder and non-negligent manslaughter; aggravated assault; burglary-housebreaking or entering; and larceny-theft. Increases were noted this year in robberies and auto thefts.

In the various divisions, with the 1952 figure given first, these were the differences for Birmingham:

Murder, non-negligent manslaughter, 19 and 22; robbery, 91 and 70; aggravated assault, 180 and 186; burglary, breaking or entering, 793 and 812; larceny-theft, 1,108 and 1,367; auto theft, 401 and 386.

Mobile showed an increase in all divisions except larceny in which there was a decrease, for the first six months of this year as compared to the same period in 1951.

The comparisons for Mobile, with the 1952 figures given first:

Murder, non-negligent manslaughter, 12 and 10; robbery, 33 and 29; aggravated assault, 137 and 125; burglary-breaking or entering, 399 and 294; larceny-theft, 599 and 468; auto theft, 126 and 112.

Montgomery showed decreases this year over the same months of last in all divisions except robberies. It broke even in murders and non-negligent manslaughter.

The comparisons for Montgomery with the 1952 figures given first:

Murder, non-negligent manslaughter, 10 and 10; robbery, 19 and 4; aggravated assault, 35 and 55; burglary-breaking or entering, 231 and 241; larceny-theft, 436 and 467; auto theft, 113 and 156.

This year's report shows the number of offenses for cities of 25,000 population and over, but last year's report listed them only for cities of 100,000 or more. Thus, there is no comparison for the cities of less than 100,000.

Following are the number of crimes listed for the first six months of 1952 for Alabama cities of between 25,000 and 100,000 population for the six categories, respectively: murder; non-negligent manslaughter; robbery; aggravated assault; burglary; breaking or entering; larceny-theft; and auto theft:

Anniston: 2; 5; 54;44; 233;31.
Bessemer: 2; 9; 33; 57; 59; 31.
Gadsden: 3; ; 42; 80; 95; 37.
Tuscaloosa: 7; 4; 88; 123; 12.

3-Year-Old Slaying Is Solved With Conviction Of Negro Man

By DICK BROWN

Robert Hendrick was trapped in a dead end street yesterday in Circuit Court. No matter which way the dice rolled the 36-year-old Negro would be the loser.

A jury found him guilty of second-degree murder in a three-year-old Montgomery slaying. But even if he had been freed he would have been returned to Kilby Prison for life.

Now he faces the life sentence plus 10 years for the murder of Frankie Martin in her apartment at 292 1-2 West Jeff Davis Street on Oct. 6, 1949.

The life sentence is a hangover from a previous murder conviction for which he was paroled from Kilby in 1948. He served 15 years but violated parole by running out of the state following the gun slaying of the Martin woman three years ago.

Fate cut sharply in on Hendrick's free life in Gary, Indiana, when he slapped his wife and she charged him with assault and battery. He was fingerprinted there and identified as a suspect in the Montgomery murder. He waived extradition and was returned to Alabama to face the new charges.

The tall, light-skinned, husky Negro reported this story of what happened the night of the Martin woman's death.

He never took the stand but his statement was read to the court. It said, in part: "... two Italian men came to see Frankie Martin (that night)... they spoke nice, told her they had come to Montgomery from New York to get her to take back with them. She told them she couldn't go because she was running a grocery store on Union Street here ... one of them told Frankie she had to go back because she had run off with $2,000 belonging to them.... she tried to grab one of the men and he shot her two or three times from out of his pocket. She fell to the floor... I didn't get up or say anything. They took me downstairs and we got into a ... car, rode as far as Nashville, Tenn., where they gave me $13 and put me out...."

One witness, Wes Lockhardt, a Negro cab driver, who lived in the same house as the murder victim, told the court that the defendant and the woman were alone in her apartment before she was killed.

Lockhardt and a Negro gas station worker said they were at a station on the corner from the apartment when they heard "noises" that sounded like five shots.

About 20 minutes later, Lockhardt testified, he went back to the building and found the Martin woman sprawled on the floor. Lockhardt also testified that about two days before the slaying Hendrick had threatened to kill the woman because she "wanted to go to New York."

No witnesses were in the apartment building when the shooting occurred. Both witnesses said yesterday was the first time they had seen Hendrick since the murder night three years ago.

Hendrick, also known as Henrick, pleaded not guilty. He was represented by W. J. Fuller Jr. State's attorney was William F. Thetford. Judge Eugene W. Carter presided.

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Arkansas

NEGRO TO FACE COURT —RAID WAS 'ACCIDENT'

Commercial

Forrest Citian "Byproduct" Of Liquor Investigation

Mon. 1-14-52

POLICE JUST WALKED IN —

P. 13

From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, Ark., Jan. 13.—A Forrest City Negro is scheduled to face gambling charges Wednesday in Forrest City Municipal Court as result of an "accidental" raid staged Saturday night by Arkansas State Police.

Sergt. Paul McDonald of the state police said Sunday the Negro arrested was Leodis Bell, 38, proprietor of a Negro establishment near Forrest City known as the Delta Club.

On Another Investigation

Sergeant McDonald, accompanied by another state trooper and two members of the state's Alcohol Board of Control, was in St. Francis County Saturday night conducting an investigation of supposed liquor violations when the raid occurred.

The officers, seeking information, went into the Delta Club and found gambling operations going on.

"We just happened to walk in on it," said the sergeant. "When we saw what was going on, we raided the place."

Bell was arrested and turned over to Forrest City authorities, said McDonald. At last reports the Negro proprietor was trying to make a $500 appearance bond, with orders hanging over his head to appear in Forrest City court Wednesday to answer charges of "possessing and exhibiting gaming devices."

Equipment Seized

Equipment seized during the raid was brought Sunday to Little Rock headquarters of the state police. It included four slot machines, dice, policy racket paraphernalia, including stamp pads and numbers slips, and $47.50 confiscated from a dice table set up for operations.

"About five other Negroes were in the place when we walked in," said McDonald. "We only arrested Bell, however." He said the $47.50 confiscated probably will end up in the state treasury.

And the investigation which was interrupted by their walking in on the Delta Club?

Sergeant McDonald said he couldn't talk about that, but added, "It's still going on."

County turns over $500,000 in seized dope to state

Largest haul of narcotics collected by the County Clerk was today turned over to the State Narcotics Bureau for destruction.

Supervisor Leonard Roach, Chairman of the County Clerk Department, stated that the estimated value of this assignment was one-half a million dollars. This includes marajuana, both in weed and cigarette form, heroin, morphine, opium, and various derivatives.

Roach also added that this supply of narcotics was evidence used in Superior Court trials of dope peddlers.

L. A. Grand Jury Clears Ex-Dancer

(SPECIAL TO DEFENDER)

LOS ANGELES—Attractive Mrs. Hazel Reece Simpson, 39, was freed by the Los Angeles grand jury last week of charges growing out of the June 14 near-fatal shooting of handsome Rev. John L. Branham, pastor of St. Paul Baptist church here.

Reverend Branham, police said, was wounded in the home of Mrs. Simpson, a red-haired ex-chorine.

Reverend Branham and Mrs. Simpson are said to have declared that the minister was shot in the arm and abdomen as he attempted to restrain her from committing suicide.

Mrs. Simpson surrendered to police several days after the shooting through her counsel, Earl C. Broady, noted criminal lawyer.

The grand jury returned its no true bill against Mrs. Simpson after three weeks of investigation and did not connect the popular radio minister with the gambling or race booking with which she reputedly was once associated.

Reverend Branham was released from Queen of Angels hospital late last month, shortly after announcing that he would rededicate his life to God.

Following lengthy discussion, the congregation of the minister's church voted to keep confidence in its pastor.

Atty. Broady studied law while pounding a police beat. Broady had a colorful career as a policeman and detective before turning to the legal field.

Federal Authorities May Probe Branham Case

LOS ANGELES — (ANP) — Attracted by the freely discussed bookmaking connections in the present life of Hasel Reece Simpson. Federal authorities are said to have arraigned to step into the picture when the Los Angeles county grand jury starts its investigation of her shooting of the Rev. John Branham.

The famous radio pastor of elaborate St. Paul Baptist Church, sprang into sensational national headlines recently when he was wounded by two .38 calibre bullets fired by the 39-year-old former cabaret chorine.

Whether or not the wounded minister was implicated in the horse race booking, did not interest them as much as the fact that they as law enforcers, would be expected to know of bold operation of the racket, and see that the proper amount of taxes was paid for the large income of the operators.

COAST OPINION DIVIDED

Rather than dying down interest following her surrender to the district attorney, the cast of the state against Hazel Reese Simpson, for shooting famous Rev. John L. Branham, is still the principal subject of discussion all up and down the west coast. The popular radio minister is pastor of the huge St. Paul Baptist Church.

All have been awaiting with intense anticipation, the first statement by the former chorine, after she came out of concealment, but many have been keenly disappointed. These had felt that she would deny the explanation, the critically wounded minister had made from his hospital couch, where he was confined with a bullet wound in his abdomen, and another in his arm.

When she reiterated this statement that he had been shot accidentally, while struggling to prevent her from committing suicide with the weapon, many have criticized this explanation. Many who claim to "know" that Mrs. Simpson and her victim have been intimate, are citing instances of cross-continent auto trips together. Others say that Branham had been mixed up with her in one or more of the various rackets by which she is said to have accumulated wealth, and fine property.

She and her husband, Herbert, have been ordered to appear before the grand jury on July 8.

Following much discussion, the church body voted to keep confidence in its pastor.

Another leading local minister expressed his indignation at the Interdenominational Ministerial Alliance for "voting confidence" in Rev. Branham. The Rev. C. F. Kyle was so indignant that he resigned from the organization.

Church Votes To Retain Minister

LOS ANGELES — As Mrs. Hazel R. Simpson, 39, prepared to testify before the Los Angeles County grand jury in the June 14 shooting of the popular Rev. John L. Branham, federal authorities were reported ready to step into the picture.

The 39-year-old radio pastor of elaborate St. Paul Baptist church made national headlines when he was seriously wounded by two .38 caliber bullets allegedly fired by the red-haired ex-cabaret chorine at the latter's home.

Mrs. Simpson, reputed to have been one of the nation's top bookies before the federal government taxed gambling, and her husband, Herbert, were to appear before the grand jury Tuesday.

The FBI is reported to have been attracted to the case because of the reputed huge gambling earnings of Mrs. Simpson. The sensational shooting is still the principal topic of conversation up and down the west coast.

Reverend Branham was released from Queen of Angels hospital two weeks ago, shortly after announcing that he was rededicating his life to God through St. Paul Baptist church.

Mrs. Simpson is said to have told the district attorney that Rev. Branham was shot accidentally in the abdomen and arm as he attempted to restrain her from committing suicide. Police said Rev. Branham made conflicting statements in regards to the shooting.

Following lengthy discussion, the congregation of the minister's church voted to keep confidence in its pastor.

A leading local minister expressed his indignation at the Interdenominational Ministerial Alliance for "voting confidence" in Rev. Branham. The Rev. C. F. Kyle resigned from the organization in protest.

Connecticut Gets Felon In Booby Trap Deaths

Suspect Trapped At Harlem Hotel

Leroy Reddick, burly 29-year-old Negro ex-convict arrested here for the booby-trap murder of two persons in New Haven, waived extradition today before General Sessions Judge Francis L. Valente and was turned over to Connecticut police.

Reddick was lured into a police trap by his sweetheart last night, and was seized by cops who waited nearly five hours near a Harlem hotel.

Police withheld the name of the woman, who told them Reddick had phoned her to meet him in the Hotel Currie, 145th St. and Lenox Ave.

Seized Near Hotel.

He didn't say when he would be there. At about 2:30 p. m. yesterday three New York and two New Haven detectives took stations near the hotel. They spotted Reddick coming their way about 7:15 p. m. and quickly surrounded him.

Witnesses in New Haven assert Reddick was in the neighborhood at the time of the dynamite deaths Tuesday of Homer Wright, 42, a painter, and his wife, Ophelia, 41, who were killed outside their home when a bomb in their truck went off as Mr. Wright stepped on the starter.

Mr. Wright had been scheduled to testify against Reddick tomorrow about an attempted holdup. Reddick had been taken into custody by New Haven police after Mr. Wright gave them a description of a man who had tried to rob the wife of a shoe shine parlor operator.

Bribe Attempted.

Reddick was booked on a technical charge of idleness and then freed in $3000 bail. Later Mr. Wright told police another man had tried to bribe him not to appear against Reddick. The alleged briber is in jail on a technical charge of idleness.

After Reddick's arrest here last night, he denied both the attempted holdup and booby-trap slayings.



United Press Photo.

Leroy Reddick after his arrest.

He was booked on a fugitive warrant pending his return to Connecticut sometime today.

At the police line-up later Reddick denied he was in Connecticut the day of the bombing and said he knew of it only through the newspapers. He admitted to Acting Capt. John Cronin that he had been convicted in 1942 of car theft and later on a charge of conspiracy to escape.

Link in Two Auto Bombings Sought

Special to World-Telegram and Sun.

NEW HAVEN, March 19.—Police today were looking for a link between a brutal car-bombing in which a man and his wife were blown to bits and a similar Bridgeport case a month ago involving a gambler.

Two Bridgeport detectives came here to join the investigation but they were not optimistic about finding anything that would help them solve their own case. Lawrence Vastano, 39, described by police as a petty gambler, was blasted out of his dynamite-rigged car Feb. 10 when he stepped on the starter. He survived critical injuries but police say he hasn't talked.

Yesterday, Homer Wright, 42, a Negro painter, and his wife, Ophelia, 41, were blasted to death in a truck similarly rigged with dynamite.

It was called a vengeance killing by police. Mr. Wright was working in a shoe shine parlor when he threw a bottle of turpentine into the face of a gunman to foil a holdup. He was scheduled to testify Friday at the arraignment of a suspect, Leroy Reddick, 200-pound ex-convict. Police have launched a widespread hunt for Reddick, who is free in $3000 bail on a technical charge of idleness.



Bombing Victims—

Mr. and Mrs. Homer Wright were the victims of a diabolical bombing plot which claimed their lives when a dynamite bomb exploded in their truck.—Keystone Photo.

Bomb in Car Kills New Haven Couple

Explosion Follows Thwarting of Holdup

Special to World-Telegram and Sun.

NEW HAVEN, Conn., March 18. A man and his wife were blasted to death by a bomb today in what appeared to be one of the most flagrant vengeance killings in this city's history.

Homer Wright, 42, and his wife, Ophelia, 41, died in a booby-trap explosion of their light delivery truck less than three weeks after Mr. Wright frustrated an attempted robbery.

The blast, which ripped the truck to pieces and was heard for blocks away, was caused by a charge of dynamite set to go off with a touch on the car's starter.

Windows of the county jail and other nearby buildings were shattered and bits of the truck were hurled over a wide area.

Mr. Wright, a Negro painter, was working in a shoeshine parlor on Feb. 27 when an armed bandit entered. Mr. Wright, moving swiftly, struck the stickup man with a bottle of turpentine and threw a can of black paint at him. The robber fled.

The bandit had tried to wrench a $4000 ring from Mrs. Albert Smith, wife of the store proprietor.

Later, LeRoy Reddick, 30, a Negro, was arrested in connection with the attempted holdup on a technical charge of idleness. He is at liberty in $5000 bail pending arraignment Friday.

Police said they had a suspect in the dynamiting and began a city-wide search for him.

parts flying 100 feet, was set off with a touch of the starter, police said. The blast, heard a mile away, killed Homer Wright, 42, a Negro, and his wife, Ophelia, 41.

Paint Routs Bandit

Wright frustrated an attempted robbery Feb. 27 in a shoe repair store he was painting. A gunman tried to grab a $4,000 diamond ring from Mrs. Albert Smith, wife of the store proprietor. Wright routed the bandit by tossing a bottle of turpentine and a can of black paint at him.

Later that day, Lawrence Reddick, 30, a Negro, was arrested in connection with the attempted holdup and freed in $3,000 bond pending arraignment next Friday.

Reddick, who has a police record of two previous convictions for burglary, was being hunted today.

Dynamite Sticks Stolen

Police said Wright had been approached last week by Preston Robinson, 28, also a Negro, and offered an undisclosed amount of money if he would agree not to testify against Reddick. Wright refused and called police. Robinson has been in jail since Friday because of his inability to raise $3,000 bail.

Five sticks of dynamite with detonator caps were stolen last Wednesday from a quarry here. These are believed to have been used in today's explosion.

The blast occurred as the Wrights were leaving their home, across the street from the New Haven county jail. Windows in the jail and nearby buildings were shattered.

Bomb in Truck Kills Man Who Foiled Holdup

New Haven, Conn., March 18 [Special]—A house painter, who foiled a $4,000 holdup and then refused a bribe to stay away from a suspect's trial, was killed with his wife today when their truck was blown up.

The explosion, which sent truck

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King of Dope Wholesalers Gets 12 Years

BY JAMES DOHERTY

Harry Schennault, known as "king of the dope peddlers on the south side," was sentenced to 12 years imprisonment and fined $7,000 yesterday by Judge Patrick T. Stone of federal District court, who found him guilty of possession, concealment, and transportation of 24 grains of heroin.

Schennault, a Negro ex-convict, has been the main target of Lt. Joseph Healy, who was appointed head of the reorganized police narcotics detail a year ago. Schennault operated thru a dozen or more young women who made deliveries of the heroin which has flooded the south side for the last three or four years and which, police said, comes here from communist China.

12 Peddlers Accuse Him

"Twelve men who have gone to prison as dope peddlers told us Schennault was their source of supply," Lt. Healy told Judge Stone after Schennault was found guilty. "The police have been trying to get a good case against him for five or six years."

When defense lawyers asked why the government did not produce any of the 12 as witnesses, Assistant United States Atty. James P. Piragine said:

"They made statements to the police but would not testify because they feared for their lives."

"I think we have the greatest dope peddler of the south side before us," Judge Stone agreed. "I don't know of any other method which destroys more lives and tortures more people than narcotics peddling. Here is a man who is teaching children to use narcotics. Something has to be done to stop it." He then pronounced the sentence.

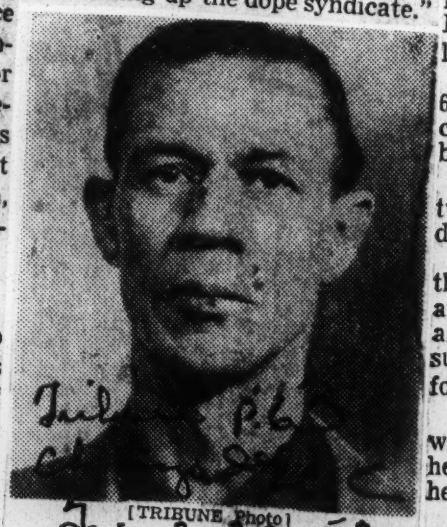
Other Counts Pending

Prosecutor Piragine said he intends to present additional evidence against Schennault on other counts in the indictment. Schennault said he was innocent but hoped the court would be lenient.

Lt. Healy said Schennault was arrested and the heroin found in a poultry store he said he owned at 311 E. 35th st.

Police Commissioner O'Connor commended Lt. Healy and other police involved in the arrest and conviction of Schennault and of Moses Cotton Hightower, another notorious peddler found guilty on Wednesday in the Criminal court of Judge Abraham Marovitz.

"We used every resource of police and prosecutor's office to convict Hightower," said Edwin T. Breen, first assistant state's attorney. "The coöperation of police with state and federal prosecutors is breaking up the dope syndicate."



[TRIBUNE Photo]

Harry Schennault, called king of south side dope peddlers, who was sentenced to 12 years in prison and fined $7,000 yesterday in federal District court.

Lover Tells Of Fatal Surgery

HU Coed's Boy Friend Testifies At Trial

WASHINGTON

Clifford Andrews, 24-year-old one-time pre-medical student at Howard University, took the stand Thursday afternoon to give a detailed description of a fatal illegal operation he charges he watched Dr. Tolly B. Spriggs perform last December on his coed girl friend.

Dr. Spriggs 53, went on trial Tuesday in U. S. District Court in connection with the abortion death of Miss Mary J. Cooper, a Howard University student and niece of C. B. D. King, former Liberian Ambassador to the U.S. She died on Dec. 13, 1951.

Andrews testified that he paid $95 for the surgery. After the operation, he testified, he took Mary in a cab to his rooming house in the 1400 block of Newton st., nw. where he packed. They proceeded to the Dunbar Hotel where he registered as Mr. and Mrs. Theodore Owens and was assigned to Room C-415, he testified.

Day By Day

The 13 days which the couple spent in the room were described by Andrews as follows:

Dec. 2 — "Mary passed the fetus — it happened about 3 p.m. I noticed something that looked like a cord extending from her.

"I called Dr. Spriggs and about 6 or 6:30 he came and cut the cord. He tried to get the afterbirth, but couldn't.

"He said it would take about two or three days for it to come down.

Dec. 3 — "On Monday I called the doctor to tell him it hadn't appeared. He came about 11 p.m. and tried to get it. He wasn't successful. He gave her a shot before he left.

Dec. 5 — "On Wednesday we went to his office where he put her on a table. He got it. After he finished he gave her a shot.

"He brought us back to the hotel in his car.

Dec. 8 — "I noticed her eyes were turning yellow. I called the doctor. He came and said that perhaps she was constipated. He told me to get a laxative for her. He gave her a shot before he left.

Dec. 9 — "I went out, bought some cascara and a bedpan for Mary.

Dec. 11 — "He (Dr. Spriggs) came and examined her to see if she had any gas on her stomach.

The 13TH DAY

Dec. 13 — "I left the room about 1 p.m. when I returned about 2:30 I found Mary sitting up in a chair. Dr. Spriggs was there.

"When I left, she had been in bed. Shortly after I came in Dr. Spriggs left.

"About 5:30 I noticed she began breathing slow. I picked her up out of the chair and put her in bed. She starting mumbling something I couldn't understand.

"It seemed like her eyes were getting hazy. I then called Dr. Spriggs and left word at his office to call Andrews it was important!"

About 6:30 Mary seemed to be getting worse so I called again. I was told that the doctor received my message.

"About 6:45 Dr. Spriggs arrived. He looked at Mary and said "Now we are both going to jail.

"After he examined her and said she was dead, he said we had better get a good story together."

Contacted Embassy

After agreeing upon a story, Andrews said, he contacted the Liberian Embassy to report Mary's death.

The witness said that the physician summoned the undertaker and told him to bring a death certificate. When the undertaker arrived, Andrews testified, he left with Dr. Spriggs as the certificate was signed.

On Friday, Dec. 14, Dr. Spriggs came to the Newton st. apartment where Andrews spent the night to take him to see his attorney, Andrews said.

Andrews testified that the physician driving a maroon Cadillac first went to an apartment on California st., where they ate breakfast.

About noon they both went to the office of H. Clifford Allder, Spriggs' attorney, where the boy dictated a statement to the lawyer's secretary, he said.

Andrews testified that his statement said that Mary had come to his apartment on Nov. 30 and complained of being poisoned.

On the net day, the statement was said to have read, they moved to the Dunbar Hotel and Dr. Spriggs was summoned after Andrews had thumbed at random through a phone book.

Visit Changed Things

After signing the statement, Andrews said, Dr. Spriggs obtained a Mr. Woods as lawyer for him. Mr. Woods, it was declared, turned Andrews over to the police and advised him to stick to his statement.

At police headquarters, the ex-Howard student testified, he gave Lt. Lawrence Hardnett the statement. He said he was then placed in a cell under a $2,000 bond.

After his half-brother, William Edwards, visited him in the jail cell that night, Andrews said he decided "to tell the truth." and was taken to the homicide room.

On Tuesday, Andrews testified that he had hoped to marry the deceased girl and that he is now living in Tulsa, Okla., where his parents are pharmacists.

He testified further that at the time of Miss Cooper's death he was working at the Veterans' Administration and that he had taken a pre-med course at Howard from the fall of 1947 until June 1951.

He declared that he met Mary during February 1951 when they were in the same biology class.

As for his relationship with Miss Cooper he stated, "she was my girlfriend during the fall of '51."

Andrews stated he first met Dr. Spriggs either in October or November 1951. "I couldn't remember exactly."

Went To Office

He said that he and the girl went to the physician's office located in the 1000 block of 7th st. nw. "Mary went into the inner room and spent about ten minutes." He later stated that they returned to the doctor's office during the middle of November.

On the second visit Andrews said he talked with the physician about financing the illegal operation. He said Dr. Spriggs told him the operation would cost about $100.

Asked when he knew the girl was pregnant, he declared that it wasn't until after their first visit to Dr. Spriggs' office.

About the day after Thanksgiving, Andrews related how they returned to the physician's office with several friends, including a Sam Murphy, Ann Bonner, and a friend of Sam's. This time, Andrews said, Dr. Spriggs refused a $100 check, demanding cash.

The opening day's proceedings were interrupted as William S. McKinley the prosecutor asked Andrews to identify a letter supposedly written by Miss Cooper.

Can Identify Letters

Allder and Charles Ford, defense counsel, sought a ruling on the letter and Andrews' ability to identify as the writing of the dead girl.

Judge James R. Kirkland ruled that Andrews, who said he had received over 30 letters from Miss Cooper, was competent to judge whether it was in her handwriting.

HU Dean Testifies

The entire Thursday morning session was taken up by arguments by government and defense counsels concerning several documents introduced by the prosecution.

One of the pieces of evidence which was discussed while the

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Bureau Of Narcotics Reports Arrest Of 500

WASHINGTON — The treasury said Friday that the Bureau of Narcotics has arrested some 500 narcotics peddlers throughout the country since early yesterday morning in an "intensified effort to check drug addiction."

Narcotics Commissioner Harry J. Anslinger reported that "a large number of peddlers engaged in supplying narcotics to teen-agers have been caught."

The raids in every major city of the U. S. were under Anslinger's direction.

The department noted that the cleanup had been "carefully planned and organized, following recent action by Congress to provide more enforcement funds and agents and stiffer penalties for narcotics peddlers.

Treasurer Secretary Synder said: "Though tireless and relentless enforcement, the tend toward an increase in teen-age drug addiction has been halted and there has been a sharp reduction in the number of teen-agers applying for hospitalization because of drug addiction.

Officials said one effect of the heavier penalties for narcotics law violations has been a shift of peddlers to other rackets.

The mass crackdown was expected to smash the backbone of the illegal narcotics traffic in the United States, according to Harry J. Anslinger, Federal Narcotics Commissioner, who set up and directed the operation. The dragnet was aimed primarily at second and third offenders and "pushers" who sold drugs to teen-agers, Mr. Anslinger said.

'Underworld Giants' Taken

The commissioner said the raids netted mostly small fry, although several "underworld giants" were arrested. He said more racket bosses would be captured when a grand jury investigation, now under way, is completed in three weeks.

Asked where the grand jury was working, he said: "If we even mention the name of the city, some of the men who are talking would be killed."

76 In New York

The Narcotics Bureau was aided by police of all the affected cities, but the greatest part of the crackdown was engineered by new recruits who posed as addicts and paid thousands of dollars to peddlers to gain their evidence.

In New York City, seventy agents picked up seventy - six peddlers, thirteen of them women, in Harlem alone. Included among those arrested was Rubin Kirby, 540 W. 140th St., said to be one of the largest sellers of heroin in Harlem. He is under $10,000 bail.

James C. Ryan, New York district supervisor of the bureau, said some of his men "lived" with the peddlers for three months and spent more than $10,000 to buy heroin and morphine.

Most of the peddlers, he said, were independents but all seemed to have "a common source of supply." He estimated the business they were doing a totaled at least $1,000,000 a year.

18 In Buffalo

Eighteen persons were arrested in **Buffalo, N.Y.**, a key gateway for illegal narcotics supplies flowing in and out of Canada. Agents called Buffalo "the trouble spot" in the nation's dope chain. Other border cities were also hit, mostly in Texas and New Mexico.

Incomplete arrests reports showed 36 suspects were picked up in **Philadelphia;** 21 in Detroit; 20 in Dallas; 17 in San Antonio; 30 in Houston, four in **Trenton, N.J.**; and four soldiers stationed at Fort Campbell, Ky. Eleven were arrested at Roswell, Carlsbad and Las Cruces, New Mecico, while two others were picked up in Denver.

25 In Washington

Forty persons were arrested in Chicago, despite a "troublesome" snowstorm; 25 in Washington, 24 in San Francisco, and 22 in New Orleans. There were seventeen arrests in Toledo; six in Kansas City; four in Boston; four in Portland, Oregon; three in Seattle and two in Columbus, Ohio.

Threee other Army camps were hit and eight more "pushers" were arrested by agents who had donned uniforms to get their men. The other Army camps were Fort Knox, Ky.; Fort Belvoir, Va., and Fort McNair, Washington. In each of the 500 cases the arrested person had made a sale or sales to a Federal narcotics agent, Commissioner Anslinger said.

Comedian's Son Nabbed

Pvt. Billie Anderson, 22, son of the film and radio star, Eddie Anderson, known as Rochester on Jack Benny's program, was among those arrested last Friday on a charge that he transferred marihuana. Robert Crabtree, Federal narcotics district supervisor, made the identification.

The complaint before United States Commissioner Ray Kirchdorfer said the offense occurred in September. He fixed bail of $5,000 for Private Anderson after he was informed further developments were expected in the case. Private Anderson was in the Army's special service program at Fort Knox.

There were no arrests in Baltimore or St. Louis. Maryland's stiff new 1951 law imposing heavy minimum sentences—five years for a second offense, ten for a third—has just about cleaned up Baltimore, Mr. Anslinger said.

Of the 25 dope peddling suspects arrested in Washington, 15 are colored.

Washington Suspects Named

The 15 suspects who were arraigned in Washington Saturday were identified as follows:

Rudolph C. Stewart and Albert T. Waters stationed at Walter Reed Hospital, under $4,500 and $5,00 bond respectively; Albert W. Lyons, 25, 616 Columbia Rd., NW, $3,500; Palmer L. Austin, alias "Whiskers and Meatball," 28 Q St., NE, $5,000; Leroy "Fatboy" Troy, 1804 Seventh St., NW, $7,500; Theodore E. Smith, 1002 New Jersey Ave., SE. $3,500 James E. Johnson, 732 Morton St., NW, $4,500; Alphonzo Cephas Jr., 618 Springman Ct., SW; Walter Brown, 313 F St., SW, picked up at Fort Belvoir, $3,000; John Daniels, address unknown, $3,500; Ernest L. Dorsey, 363 M St., SW. $5,000; George Alfred Jr., 614 Seaman's Ct., NW, $3,000; Barrington Williams, 5410 Clay St. NE, $5,000; Joseph Sisney, address unknown, $4,500, and Esley Coleman, picked up in Baltimore, his bond not set up to press time.

Idenfity Philly Suspects

The Philadelphia area suspects who numbered 36, eight of them women, were identified as follows:

Perry Kellam, 30, 18th St. near Berks, who drew the heaviest bail of $10,000. Agents charged he distributed narcotics and had two women selling the drugs for him.

Those held in $5,000 bail for the Federal Grand Jury were Gerald Ross, 28, 13th and Kater Sts.; Rose Swiggett, 36, 12th St. near South; Earl Lewis, 35, 12th St. near South; Vicurtis Gilyard, 22, Union St. near Fairmount Ave.. Thomas Evans, 20, Rodman near 13th; Dave Richardson, 29, Myrtle Pl. near 10th;

Mary L. Gibbs, 27, 12th St. near North; Thomas Washington, 41, 13th and Kater; Robert Taylor, 21, Fitzwater St. near 21st; Daniel Holloway, 38, Olive St. near 43rd; John Hall, 23, 37th St. near Aspen; James S. Smart, 28, 13th and Kater Sts., and Abe Simmons, 26, 12th near Susquehanna Ave.;

Henry L. Platt, 27, Franklin St. near Poplar; Emanuel Pogach, 24, Point Breeze Ave. near 20th; and Joseph Colbert, were held in $5,000 bail for further hearing Monday. Adele Cumberland, Girard Ave. near 56th St., was held in $1,000 for a further hearing.

The Box Score

Federal narcotics agents, with cooperation of city and state police staged simultaneous nationwide dope raids. Here's the box score of those arrested:

New York, 76; Buffalo, 18; Philadelphia, 33; Detroit, 21; Dallas, 20; San Antonio, 17; Houston, 30; Trenton, N.J., 4; New Mexico, 11; Denver, 2; Chicago, 40; Washington, 25; San Francisco, 24;

Also, New Orleans, 22; Toledo, 17; Kanasas City, 6; Boston, 4; Columbus, Ohio, 2; Portland, Oregon, 4; Seattle, 3; Ft. Campbell, Ky., 4 GIs; Ft. Belvoir, Va., and Ft. McNair, Washington, 4 GI's each.

Hotel Raided

According to police the biggest group was arrested at the Canfield Hotel, at 13th and Kater Sts. They were Ross, Leola D. Ross, 22; Harlan Diggs. 27; Isaac Brown, 37; Washington, Jesse Davis, 22; Jean Smart, 25; William Scott, 28, and Doretha Halstead, 22.

Others rounded up in the raid were Edna Wheeler, 21, Kater St. near 13th; Mildred Robinson, 28, 18th St. near Berks; John Anderson, 12th St. near Bainbridge; James Thomas, 29, Spring Garden St. near 40th;

John Drake, 20, 13th near St. Albans; James Davis, 30, 24th St. near Montrose; Albert Spencer, 31, Beechwood St. near Mifflin; George W. Pullins, Gratz St. near Berks.

Trenton Leader Taken

The biggest narcotic gang in Trenton was said to have been nabbed when Federal agents and local police arrested the alleged leader, George David Shack, 23, 759 Lamberton St., labeled as the 'leading pusher' in the sale and distribution of heroin.

Agents nabbed Shack and two other men in an early morning raid on his apartment at the Lamberton St. address.

Too Naked to Run

The "pusher" was taking a bath when the officers paid him the unexpected visit. While they were searching the apartment, the other two men entered and were promptly arrested.

They are John T. Perry, 56, of Montgomery Pl., suspected of being a salesman for Shack, and Paul Duncan, 21, of Lumberton St. near Cooper, described as one of Shack's customers.

Earnings Cited

Police found a supply of marijuana in Duncan's pockets. He said he had been using 15 capsules of heroin a day for several weeks.

The officers said Shack sold about 300 capsules of cut heroin every 10 days which netted him $450.

They also referred to him as "a mainliner," and addict who injects the dope directly into his veins with a hypodermic needle.

Heroin Supply Found

Held as evidence are a bottle of 76 cut heroin capsules found on a bedroom table by the raiders, and 10 grains of uncut heroin found in a bureau drawer.

Police believe that Shack obtained his narcotics supply from New York outlets.

Shack and Perry were arraigned on charges of illegal sale of narcotics before U.S. Commissioner Walter Petry.

Duncan was held for a hearing before Magistrate Albert Cooper on charges of possessing dope.

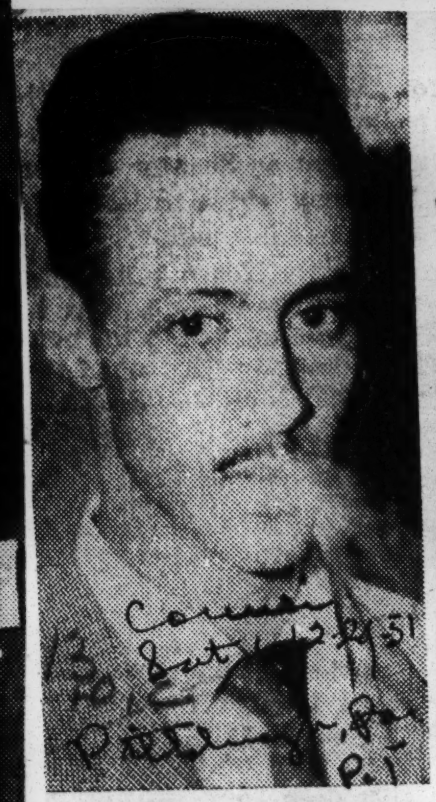
Comic's Son Among 500 In Dope Dragnet

Nation-Wide Raids Yield Principals In Million $ Biz

WASHINGTON — (NNPA)—Pvt. Anderson, 22, son of the movie and radio star, Eddie (Rochester) Anderson, was among 500 dope peddlers who were rounded up and jailed Friday night and early Saturday in big cities from Mexico to New England. The synchronized raids were called the biggest clean-up in the nation's history.



AMONG FIRST ARRESTS HERE—A teen-age white boy charged with selling narcotics covers up at police headquarters. He is Edward Dean Monohan of 3821 Twenty-second street N.E. The prisoners behind him are Albert W. Lynn, 25, of 616 Columbia road N.W. (left) and James Edward Johnson, 19, of 732 Norton street N.E. They were among the first caught locally in a Nation-wide crackdown on narcotics peddlers. The policeman guarding them is unidentified. Inspector Edgar Scott, chief of detectives, is on the right. —Star Staff Photo.



CLIFFORD J. ANDREWS
... dead co-ed's sweetheart



DR. TOLLEY B. SPRIGGS, ATTY. H. CLIFFORD ALLDER
... accused physician (left) discusses death of Howard co-ed with his lawyer (right).

Liberian Official's Niece

Doctor Accused In Coed's Death

Howard U. Student Succumbs After Suffering Thirteen Days

WASHINGTON—The tragic story of a young girl in trouble, who valiantly fought off death in a hotel room for thirteen days before succumbing to the complications allegedly caused by a criminal abortion resulted in a coroner's jury last week holding for grand jury action well-known Dr. Tolley B. Spriggs, 52.

The story of the bizarre death of Mary Jeanette Cooper, 19, niece of the Ambassador to Liberia and a Howard University junior, was bared by her sweetheart, Clifford J. Andrews, 24, 1477 Newton Place, N. W., who said he was the alleged abortion-victim's constant companion from the time an operation was performed on Dec. 1 until she died Dec. 13, at a local hotel.

Dr. Spriggs, who did not testify at the sensational hearing has flatly denied that he performed an abortion on the slim 110-pound co-ed who was the daughter of the late Charles E. Cooper, former Liberian Consul General in London, according to police.

RELATIVE SUSPICIOUS

Authorities said the doctor, who admitted calling on the girl at the hotel every day since Dec. 2, pronounced Miss Cooper dead at 6:50 o'clock last Thursday evening and signed a certificate attributing death to natural causes.

Police said that the girl's body was removed from the hotel by the Stewart Funeral Home at 30 H Street, N. E., for burial preparation, and remained there until it was ordered to the District morgue a day later for an autopsy requested by the Liberian Ambassador, C. D. B. King, who police said became "suspicious."

In his report, Deputy District Coroner C. J. Murphy ascribed death to a "punctured uterus" caused by a "septic abortion" and when queried by Assistant District Attorney William Bryant, said there were no signs of pneumonia.

YOUTH TELLS PART

In his death certificate, Dr. Spriggs listed the causes of death as "acute cardiac dilation, bronchial pneumonia and acute hepatitis," police said.

The youth who admitted that he "might have caused Miss Cooper's pregnancy," told the jury that he first took the slender co-ed to Dr. Spriggs' office sometime in the early part of November for an examination, after which, Andrews said, she told him the doctor said she was pregnant.

He said they went back to the doctor's office on the day after Thanksgiving with a "friend from Vermont who wanted to write out a personal check," which he said was refused.

Again on Saturday, Dec. 1, Andrews said, he returned to Dr. Spriggs' office with Miss Cooper. At this time, Andrews said the abortion was performed sometime after 11 P. M., and he described in detail the operation which allegedly took place as he watched.

ALLEGEDLY PAID MEDIC

He said he paid the doctor $95 —"which was all the money I had."

The youth said he and Miss Cooper then returned to his apartment where they had stayed the night before, following her signing out of the Howard University dormitory on Nov. 30, and from there went to the hotel, where they registered as "Mr. and Mrs. Theodore Owens."

Andrews said on the next day, Dr. Spriggs visited the hotel. Efforts by the doctor to complete the alleged abortion were unsuccessful on this visit, young Andrews testified, and said that he and Miss Cooper went back to the doctor's office on the next day.

Returning to the hotel, the youth said, his sweetheart continued to feel bad, so he called the doctor in, who, Andrews said, came daily and repeated administrations until the evening when he pronounced Miss Cooper dead.

PRE-MED STUDENT

The youth, who was studying pre-medicine through the spring quarter at Howard University when he dropped out to take a Government job, said he notified the Ambassador and saw him personally two days later, after Miss Cooper's death.

According to the Ambassador, Cooper was born in Liverpool, Liberia, and came to the United States four years ago to complete her education. She attended Palmer Memorial Institute at Sedalia, N. C., before coming to Howard University in the fall of 1950.

NATIVE OF TULSA

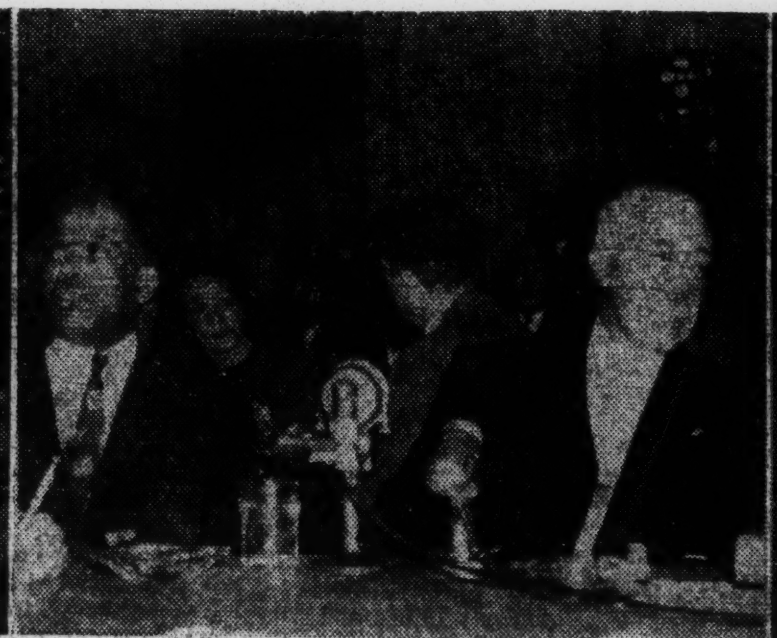
Andrews said he is from Tulsa, Okla., where his mother is living, and the son of Dr. Samuel Andrews, a Meharry graduate, now practicing pharmacy in Shawnee, Okla. He has a sister and a half-brother living there and a half-brother living, he said.



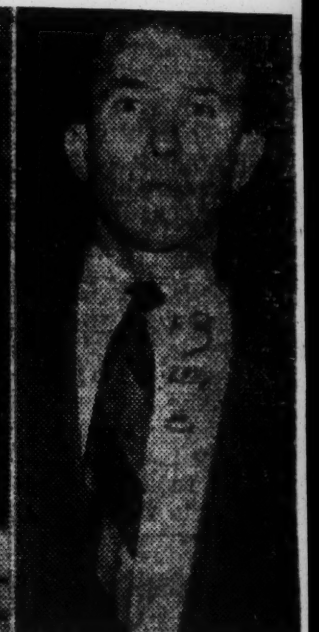
REUBIN NICHOLS
. . . star witness cries, Senators gape



FREDDY WOODS AND LAWYER
. . . Woods (right), admitted numbers writer



ROGER SIMKINS AND LAWYER
. . . Simkins (white hair) and his lawyer, George Hayes



EMMITT WARRING
. . . gummed up after taking oath



MRS. ROGER SIMKINS
. . . wife of alleged "big shot" was nervous

Bare Yearly Take Of $100 Million

By REVELLA CLAY

WASHINGTON—Glamorous (Dimples) Hall's life has been threatened!

It came less than twenty-four hours after the pretty, dimpled, red-haired ex-girl friend of Roger (Whitetop) Simkins had "talked" before the Senate Crime Probe Committee investigating the District's $100 million a year numbers business.

Simkins is allegedly the "No. 1 Man" of the Negro numbers business here. Not once, but twice, was Mrs. Sarah Mears Hall threatened by telephone callers because she had "talked too much."

WASHINGTON—Beautiful, expensively gowned Negro women . . . immaculate, well-dressed Negro men . . . brilliant Negro lawyers firing rapier-like thrusts at Senate crime probers . . . an annual lush haul of over $100 million from rackets in the nation's capital . . . over three million TV viewers and radio listeners . . . numbers kings, racket bosses, weeping police officers . . . lurid tales of "pay-offs" to high police officials . . . climaxed by death threats . . . These highlighted last week's explosive Senate probe of crime in Washington . . . with more to come.

It was a grim reminder that Washington's white and black underworld and the capital's corrupt police are on the spot! . . . and they know it.

The death threats climaxed last week's hearings which saw the biggest Negro figures in the racket business parade before glittering Klieg lights and batteries of TV cameras and radio microphones as the U. S. Senate dipped its prying hand into the District's racket business and came out with startling revelations.

Mrs. Hall had given damaging testimony in connection with Roger (Whitetop) Simkins, the alleged top man of the local numbers racket among Negroes. Her testimony, later supported by other witnesses, most of them reluctant, told of "pay offs" to police officers, who then closed their eyes and let the big numbers business carry on unmolested and untouched.

* * *

"DIMPLES," for five or six years one of Simkins' closest lieutenants, had "fingered" her former boyfriend and boss. "It was him or me," she said, "and I came first."

In a statement to the Courier, Mrs. Hall disputed claims made by many, who called her the proverbial "woman scorned," and asked this newspaper to make it plain that she did not testify against her former lover and ex-boss out of spite or malice. "I talked to save myself," she emphasized.

But her testimony about the daily "take" from the working lieutenants who gathered in the receipts for Simkins' numbers operations and brought the cash to her former home at 2026 Georgia Avenue, NW, a stone's throw from Griffith Stadium, had been damaging.

SHE RELATED that the daily "take" ran from $2,000 to $8,000 a day, with the heaviest sums being taken in at the week-ends. Mrs. Hall was the "cashier" for the operation and said that at the end of each day Mr. Simkins would come to her home and take away the cash receipts in person.

She told how she had seen police officials come to her house and go into a room where they conferred with Simkins.

She said that her home had never been raided, nor had the operations there been bothered by police during the period in which she worked closely with Simkins—from 1940 to 1945, when Simkins moved out on her.

Since then, Mrs. Hall has married and moved to 2015 Fifteenth Street, NW. She now works as a barmaid and waitress, having put behind her the life she lived with Simkins. The reputed numbers king has also married since then, and his pretty wife, Mrs. Yvonne Simkins, was with him at the hearing, although she did not testify.

Brought back into the spotlight during the hearing was the Jan. 8, 1948, shooting affair when bullets flew in what was obviously tied in with a war over the numbers business. This took place at the Brass Rail, a cafe owned by Mrs. Simkins.

Brass Rail ex-manager Charles H. Nelson told the Senate committee that he was wounded in that "hush-hush" shooting by Negro gambler Henry (Piggy) Leake because Leake was out to kill Simkins because Simkins was allegedly "squeezing" the Leake faction out of the numbers business. Nelson testified that the Brass Rail was a numbers headquarters and that police officers and an ABC inspector were paid off by Simkins.

Retired Detective Sergeant

Robin R. Nichols weepingly testified that ex-Police Chief Maj. Robert J. Barrett, had threatened him with criminal action and had given him "fifteen minutes to retire" after Nichols had talked with Simkins about the shooting at the Brass Rail. He said Simkins had predicted to him that he would be put on the carpet.

Dapper Freddy Woods, widely known local cafe operator, admitted to the probers that he "once wrote numbers" for Emmitt Warring, reputed top man in the entire numbers' operation in Washington. Warring, a white man, is one of the notorious Warring brothers who have long been associated with the rackets here as "bosses." Emmitt's business runs high into the millions, the probers were told.

WEARING A mink-trimmed Persian lamb coat, Mrs. Sarah Mears Hall was the key witness who involved Simkins. She described in detail the inside operations of her former lover's numbers' headquarters in what was her home from 1940 to 1945. She testified that Simkins had paid off "ice" for police protection and was frequently visited by the police — but never molested. She said the take sometimes was as high as $8,000 a day.

Sultry, statuesque Jacqueline Terry, 30, was another Negro witness who told the probers she once worked for Simkins and also alleged policy man Orion T. Whiting, also a Negro. However, she "clammed up" later and refused to answer for "fear I might incriminate myself."

The hearing room sparkled with tension when the "kingpin," Simkins, was called to the stand to testify. With Atty. George E. C. Hayes and Milford Schwartz, his attorneys, flanking him, the white-haired Simkins was an aristocratic figure. Like Frank Costello of New York, Simkins read a prepared statement asking that the TV cameras and microphones be cut off. His request was denied, despite a terrific fight by Attorney Hayes.

Mr. Simkins then began an almost continuous series of refusals to answer on the grounds that he might incriminate himself. His wife was not called.

Former Police Chief Barrett was called and carefully avoided making any damaging admissions. Emmitt Warring was also called, along with others, police officials and civilians.

But the "big show" was the Negro participants and the hearings were recessed until this week.

Conducting the hearings for the Senate committee was Counsel Arnold Bauman, who was frequently assisted in the questionings by Senators Neely of West Virginia, chairman, and Herman Welker, Idaho Republican.

The action has been resumed this week and more fireworks are expected to follow as the revelations unfold.

Dr. Spriggs Indicted In Coed's Death

WASHINGTON — Dr. Tolly B. Spriggs, Washington physician, was indicted last week by the District grand jury on a charge of having performed an illegal operation on Miss Mary Jeanette Cooper, 20-year-old Howard coed and niece of former Liberian Ambassador Charles D. B. King.

The indictment charges that Dr. Spriggs performed the operation last Dec. 1, "with intent to procure" a miscarriage, and alleges that the young woman died in a Dunbar Hotel room on Dec. 13 as a result.

Police arrested Dr. Spriggs on the complaint of Clifford J. Andrews, 24-year-old senior premedical student at Howard, who said he was the father of the young woman's unborn child.

At a coroner's inquest, Andrews appeared as a witness against Dr. Spriggs, and testified that the physician performed the abortion on Miss Cooper in his presence. He described in detail the entire operation.



SARAH MEARS (DIMPLES) HALL
. . . says Simkins made up to $8,000 daily

Three Held for Grand Jury In Simkins Safe Robbery

Samuel W. James, 30, colored, of the 4800 block of East Capitol street, and two teen-agers were held under $5,000 bond each for the action of the grand jury yesterday by United States Commissioner Cyril S. Lawrence in the case of the February 1 safe robbery of Gambler Roger "Whitetop" Simkins.

James' wife, Dolores, also charged in the safe job, was released by the Commissioner on the ground police had not shown she was present at the time of the robbery of the home, at 2823 Twelfth street N.E.

One of the juveniles held was James Mason, 18, of the 700 block of Fifty-fifth street N.E. The other is 17-year-old. Both are colored.

Jones received $3,000 additional bond for implication in another safe robbery last December.

13 1952

D.C.

Student Cool And Calm At Hearing

Breaks Down, Cries On Seeing His Mother In Tears; Inquest Tuesday

WASHINGTON

Donald N. Tyler, 22-year-old married Howard University student accused of the attack-killing of his classmate, Miss Jeanette Ellen King, 19, was returned here Friday from Chicago and given a hearing before a U.S. commissioner.

When he walked into the commissioner's hearing room, Friday to face formal charges in the slaying, even the most hardened members of the police department's sophisticated homicide squad were baffled by his apparent indifference.

However, as young Tyler glanced back and saw his mother, Mrs. Julia B. James, seated alone sobbing openly, the accused slayer broke down and cried.

Completely Complacent

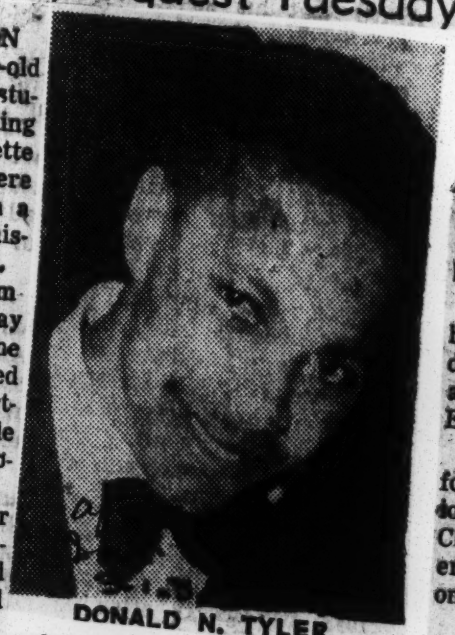
Lt. Lawrence Hardnett, the local detective, who flew out to Chicago on Wednesday to bring the college student back to the District explained later that until the tears flowed down Tyler's cheeks in the hearing room, the student had seemed completely complacent.

The arraignment proceedings before U.S. Commissioner Cyril S. Lawrence were very brief. Reporters had waited around police headquarters from noon, when the hearing was originally scheduled, until 3:10 p.m., Friday.

At 3:25 p.m. Tyler was charged and ordered held without bond. Upon the request of Tyler's attorney, Wesley S. Williams, the commissioner granted a continuance until 10:30 a.m. March 7.

Inquest Tuesday

The procedure was merely a routine one, the AFRO was informed, for cases involving homicide.



DONALD N. TYLER

On Tuesday, 11:30 a.m., the District coroner will hold an inquest into the death of Miss King, at which time, Tyler might be held for action of the grand jury, thus eliminating the continued hearing.

If the coroner's jurydecides not to hold him, Tyler will be brought back to a commissioner's hearing on March 7.

Meanwhile, Lieutenant Hardnett gave reporters a few more details on Tyler's alleged confession.

The detective's version of the Howard Student's activities during the day of the shooting as given to the AFRO ran:

"I met Janet in the campus library last Monday and gave her an order of lipstick she had bought from me.

"She asked me if I would drive her to the license bureau to get a learner's permit.

Went To Doc's

"We went down and she got the permit. Then she drove the car around until 3:15 in the afternoon. Then we went to 'Doc's' and played records and watched television."

("Doc" is Raymond W. Elliott, a pharmacist, for whom Tyler drove. Elliott's home is in the 1800 block of Maryland Ave., NE.)

"While we were in the apartment we had some drinks. I drank a beer and a couple of shots. We had relations and then left.

"I was driving up on Eighteenth or Nineteenth St., NE when Janet opened the glove compartment and took out a .25-caliber automatic. I told her not to play with it, because it had a clip in it.

"It Went Off"

"She gave it to me and I was trying to empty it. Somehow, it went off. She fell against me and blood got on my clothing.

"I felt her pulse, listened to her heart and found that she was dead. I looked in her pocketbook and took out $22 and beat it to Elliott's house to change clothes.

"I left a note for Elliott before I left. I drove down to Union Station to catch a train to Chicago, because I knew my father was there and Chicago is the only place I could think of going

Gave Self Up

"I found out I didn't have enough money to catch a train, so I drove around to the Trailway bus station. I caught the 11:55 bus for Chicago."

Young Tyler said he went to his father's home and then decided to give himself up at the Wabash Avenue police station. He did so about 8 a.m., Tuesday.

Lt. Hardnett said that the boy was very "unconcerned about it all.

"We came back in a compartment on the B. and O.'s Capitol Limited. He slept in the upper compartment shortly after the time the train pulled out of Chicago until we hit Silver Springs.

Snored

"The kid snored so loud he kept me awake most of the night.

"I didn't have any trouble with him. He sticks to his story that he didn't assault the girl and that the shooting was an accident."

"The boy swears he doesn't known anything about the brick or the broken window. He also says that he did not know anything about bruises being on the girl's neck," the detective informed the AFRO.

Young Tyler and the detective arrived in Washington about 8:55, Friday morning. After breakfast, he was fingerprinted and photographed.

Another Victim?

He was taken to the police lineup where a 26-year-old government worker identified him from six others as the man who criminally assaulted her in a wooded area off Mt. Olivet Rd., NE, late Saturday night, two nights before the Howard co-ed was killed.

After the identification he was questioned some more by detectives. He denied the most recent accusation.

The young accused slayer saw his mother, Mrs. James, for the first time in the hallway of police headquarters as he was being escorted to the U.S. Commissioner's hearing room.

"They have treated me swell," the boy told his mother as passed, in speaking about the police. "I am all right. There was no rough stuff. They have been swell."

It was when he was led into the hearing room, while attired in a brown felt hat, grey plaid topcoat and brown suede shoes, that young Tyler, who had been chewing gum ferociously and unconcernedly, finally began sobbing.

It was too much for the 22-year-old The sight of his sobbing mother accused slayer to bear.

"I asked him, 'did you shoot her,' and he said 'yes, but it was an accident.' I firmly believe him."

In these words, Mrs. Julia B. James expressed to the AFRO on Thursday her faith in her son, Donald N. Tyler, 22, who gave himself up to Chicago police Wednesday in the slaying of his Howard University classmate, Miss Jeanette Ellen King, 19.

Expected Back Thursday

Washington authorities were expecting the young man to be brought back to D.C. Thursday be Detective Lt. Lawrence Hartnett, who flew to Chicago Wednesday afternoon with a U.S. Commissioner's warrant.

It was anticipated that Tyler would waive extradiction in the Windy City where, of his own accord, he went to police, surrendered his gun and gave his version of the slaying Wednesday morning.

He also telephoned his mother, who then notified Washington police, giving them their first word on the Chicago development, according to D.C. Police. Inspector E. B. Scott, who commended Mrs. James for her co-operation throughout the investigation.

Mother's Intuition

Mrs. James told the AFRO, "I asked him about the shooting and he said yes, but it was an accident. I believe him.

"There are things that a mother inherently knows about her children. There's a kind of intuition that mothers have. Just as you can look at your child and tell whether or not he is telling the truth, you also know his voice when he is speaking the truth."

Mrs. James also said that downtown newspaper reports that Tyler's father had induced him to go to police were untrue.

She told the AFRO that she had talked by telephone with her divorced husband, Edward Tyler, in Chicago, and learned that although young Tyler had spent Tuesday night with his father. he had said nothing about the happenings in Washington.

Father's Version

His father said, instead, that he had left his son on Wabash Ave. in Chicago, Wednesday morning, and Donald had said that he was just going to take a walk down South Parkway

Mrs. James stated that Sgt. James Foster of the Wabash Precinct, had told her that her son's account of the shooting of his classmate sounded "very logical."

"There is much in this case that the public cannot know about at this time," Mrs. James continued, indicating that local police had not yet revealed all of the results of their investigation.

She said that newspapers already have carried more than one inaccurate account.

Dreadfully Sorry

Concerning Miss King, Mrs. James said that she was "dreadfully sorry for that to happen to anyone's child."

She added that her son, who has been married for two years, wears his wedding band at all times and that it was generally known on the Howard campus that he was not single.

"There are two sides to every story," Mrs. James continued as she expressed once more her faith in her son.

Hard To Be Definite

"It is hard to make a definite statement because we haven't seen him yet, but from what we know about him and from other infor-

Miss Kings' Grades Best

Tyler's grades were not as good as those of Miss King, a review of his transcript showed. The transcript also revealed that Tyler might return Thursday afternoon or evening and that ing would probably be held before U.S. Commissioner Cyril S. La-

Accused Killer Led Away



Lt. Lawrence Hardnett, back from Chicago with Donald Tyler, 22-year-old accused slayer of a Howard U. freshman coed, leaves hearing room of the U.S. Commissioner Friday with the young prisoner.



Sobbing Mrs. Julia B. James, mother of young Donald Tyler, accused slayer of a Howard University coed, leaves U.S. Commissioner's hearing Friday after her son was ordered held without bond. Wesley S. Williams, his attorney, accompanies her.

Pharmacy Student Slain



MISS JANET E. KING

Woman Turns Self In As Narcotics Addict

A young woman, admittedly a dope addict, turned herself in at the Women's Bureau Tuesday in order to get medical treatment.

Police identified her as Miss Catherine Debrew, 28, colored, of the 1400 block of Swann street N.W. She was charged with sale and possession of narcotics.

Undercover agents for the narcotic squad said they made three purchases of heroin from her five days ago at a residence in the first block of U street N.W. A warrant for her arrest was obtained but police had been unable to locate her since.

Another woman, Miss Ernestine Howard, 33, colored, was arrested earlier in the week at the U street address. She also was charged with sale and possession of narcotics.

United States Commissioner Cyril S. Lawrence set an April 4 hearing for the two women. Miss Debrew was held in $3,500 bond and Miss Howard in $8,500 bond.

Renounces Dope Addiction; Joins Church



Assisted by the Rev. Quincy Lowe, left, the Rev. Smallwood T. Williams prepares his son for baptismal rites in the pool at Bible Way Church. Smallwood Jr., a 22-year-old musician, told the overflow audience at the church that he was "turning from drugs to Jesus."

SON NABBED FOR NARCOTICS:

Radio Pastor Baptises Son Who Gives Up Dope

Afro-American P. 20

13 D.C.

WASHINGTON

"Don't take reefers or any kind of dope, just take Jesus," Smallwood E. Williams Jr. told a hysterically happy congregation packed to the doors at his father's Bible Way Church, Sunday night. Dat. 4-12-52

Under $3,500 bond on narcotics charges, the 22-year-old son of Elder Smallwood E. Williams spoke on evils of dope before the largest audience which has ever crammed into the church at 1130 New Jersey Ave., NW, according to observers. Baltimore

Later he was baptized in the church pool by his father, assisted by the Rev. Quincy Lowe, as 3,000 or more men, women, and children, shouted, shook, and praised the Lord because the young man was turning from drugs to religion.

Mother, Sisters Present

In the congregation were his mother, Mrs. Vernelle Williams, director of the Bible Way Radio Chorus, and two sisters, the Misses Pearl and Yvonne Williams.

Yvonne is a pupil at Brown Junior High School in Washington. A brother, Wallace, 4, figured in the sit-down strike which Elder Williams staged at the white Wheatley Elementary School a couple of weeks ago, in a demonstration against the Capital's jim-crow school system.

Miss Pearl Williams, an honor student in the music school at Howard University, sang "I Would Rather Have Jesus" just before her brother spoke, accompanying herself on the organ and dedicating the hymn to her brother.

Overflow In Basement

"Amen!" "Yes, Lord!" "Have it your way, Lord!" were some of the ejaculations which echoed throughout the church, to the accompaniment of clapping hands and stomping feet.

Persons who could not find sitting or standing room in the balcony or main auditorium of the church heard the young man over a public address system in the basement.

Dressed in a dark blue suit, Smallwood Jr. said:

"I was playing with a band in Chicago when I was introduced to narcotics, not knowing the horrible effects of drugs.

"I took to narcotics instead of getting the rest I needed because drugs gave me the strength to go on. But drugs are a terrible thing.

'You Become A Slave'

"I was earning $135 a week and I got to the place, where every penny I didn't use for meals or to pay my hotel rent went for drugs.

"You become a slave to it. You get so that you need if more and more, you're never satisfied. That's sin.

"Young people, don't do it. The wages of sin are death. I realize that at the rate I was going, I soon would be dead.

Was With Lionel Hampton

"I don't believe any young person in Washington has caused as much trouble and scandal as I have, and I don't want any other young people to do what I did!"

Young Williams mounted his father's pulpit to proclaim that he is retiring from the world of popular music for good.

He has been a top saxophone player in several bands including that of Lionel Hampton, and the lure of "hot" music is believed to have started him on the road that led to the drug habit.

Play For God

"I'm going to play for God from now on," he asserted. "I want God to use me as he sees fit, to save other young people from the wages of sin.

"I mean tonight to take Jesus Christ as my personal Saviour, retiring from the field of popular music. I was brought up in the church but I strayed away from it, and I regret the day I left the church.

"I thought I was having a good time, but I've come to the conclusion there's only one way — the blood of Jesus Christ.

"When I was 17 I played with Lionel Hampton's band. Travelling from coast to coast, playing for white and colored, I came into contact with all kinds of people, all kinds of things. I'm sorry that I went for them.

"I'm younger than many of you here, I'm only 22 years old, but I've experienced as much as, or more than, many of you who are much older than I am.

"It's no good. Your happiest days are in the church. You think you'll be happy outside, but you're not happy.

"I've had a chance to think, and I'm pleading with all people to turn from sin—it may not be drugs, but any sin—and joining me as taking Jesus as your personal savior tonight.

"The jails are full of young people in trouble and I want to devote my life to helping them.

Devil Doesn't Like This

"I want you to want to be baptized, to want to be saved with me.

"I know I'm going to have trials and tribulations, I know the devil doesn't like this, but I'm going to press on. I don't know what the outcome will be, but I'm leaving it in Jesus' hands."

Never Sold Drugs

In answer to direct questions from his father, young Williams stated:

"I never sold drugs in my life, I never made a cent selling narcotics. I was accommodating a friend, though I had no business doing it.

"A young man came by my house and asked me where he could get some dope and I took him.

Up To The Police

"I'm not angry at anyone, I don't have any malice toward anyone, I love everybody, and I'm not going to inform on anyone. I leave it to the police. That's their job. If they'd been doing their job, it wouldn't be as bad as it is now."

Young Williams described heroin as looking "like powder, a white powder."

Baptist Pastors Vote Anti-Crime Campaign In D. C. Negro Areas

The Baptist Ministers' Conference of Washington voted unanimously Monday to open a drive against crime in Negro neighborhoods here. Dan 13 D.C.

Plans for the campaign were drawn by the conference's Civic Committee under the chairmanship of the Rev. Ernest C. Smith, pastor of the Metropolitan Baptist Church. P. A-28

"We intend to go into the communities and come face to face with the people who have been giving our areas a bad name," Dr. Smith said. Wash D.C. 4-2-52

Form Smaller Units.

To carry out this policy, he said, his committee, which comprises a dozen members, will be divided into visiting subcommittees of three or four members each.

Dr. Smith said this is the first time Baptist clergymen have ever come to grips with the crime problem in an organized fashion.

To Invite Maj. Murray.

The meeting in the New Bethel Baptist Church, Ninth and S streets N.W., also decided to invite Maj. Robert V. Murray, superintendent of the Metropolitan Police, to speak to them on his plans for a cleanup of crime here. The group also wants the conference's visiting subcommittees to get in touch with people who have testified about numbers and narcotics at recent hearings in Congress and urge them to leave the rackets.

The conference also voted to join a meeting that is being held with the District Commissioners tomorrow to protest alleged police brutality.

Suspected Murderer Of Howard Co-ed Is Sought in 13 States

While police of 13 Eastern States searched for her suspected slayer, Homicide Squad detectives here today are trying to reconstruct the brutal murder of a 19-year-old Howard University co-ed whose bullet-torn body was found in the 1200 block of Nineteenth street N.E. Monday night.

The slain girl, Janet Ellen King, colored, began the fight for her life, detectives theorized, in the apartment of a colored pharmacist, which her suspected slayer, a university classmate, had borrowed for the evening.

Signs of Struggle.

In the apartment in the 1800 block of Maryland avenue N.E., police found a broken floor lamp and cocktail table and other signs of a struggle. Blood had spattered on newspapers.

The suspected killer's blood-stained clothing had been discarded in the apartment and he borrowed clothing of his benefactor, Raymond W. Elliott, a registered pharmacist, who was away for the evening.

Miss King was choked, raped and beaten before she was shot three times. Police are trying to determine whether the criminal attack took place in the apartment or in the automobile from which her body was tossed.

Car Found Abandoned.

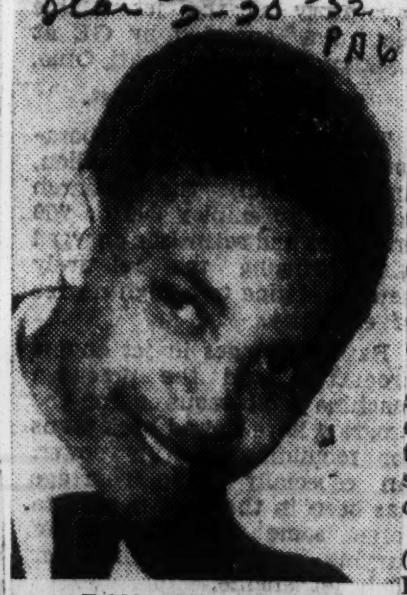
The man for whom police are searching, Donald Nathan Tyler, 22, colored, of the 2400 block of First street N.W., borrowed Mr. Elliott's automobile Monday afternoon. The car, bloodstained and with one window shattered by a brick, was found abandoned yesterday by Pvt. R. R. Latimer of the traffic division. In it were Miss King's undergarments and Tyler's textbooks.

No clue to Tyler's whereabouts has been uncovered, Inspector E. E. Scott, chief of detectives said today. Tyler and Miss King were freshmen students in the School of Pharmacy at Howard. The suspect is married.

President Mordecai W. Johnson of Howard University yesterday sent a letter of condolence to Miss King's mother, Mrs. Mary B. King, a teacher at Rutherfordton, N. C. He said Miss King was a "young woman of strong and admirable character." Dr. Johnson added "it is tragic that the circumstances of her death in the City of Washington were so near to us and so far beyond our control."



JANET ELLEN KING.
Howard University co-ed found slain.



DONALD N. TYLER.
Sought in slaying investigation



Associated Press Wirephoto
DONALD N. TYLER
. . . faces murder charge

Tyler Heads For District In Slaying

Donald Nathan Tyler, 22, Howard University student, last night was o nhis way back to Washington, where he faces a murder charge in the fatal shooting of Janet Ellen King, 19, a co-ed classmate.

Still maintaining that the shooting Monday was an accident, Tyler yesterday waived extradition in Chicago, where he surrendered to police Wednesday.

He left Chicago at 4:30 p. m. (CST) with Lieut. Lawrence Hartnett, of the homicide squad here. Hartnett flew to Chicago Wednesday night with a murder warrant for his return. They are due to arrive in Washington by train at 8:55 a. m. today.

Miss King, a first-year pharmacy student from Rutherfordton, N. C., was found dead in the 1200 block of 19th st. ne. near the National Arboretum Monday night. She had been criminally attacked, choked and shot three times, according to the District cooner.

Tyler has admitted having relations with her earlier that day in the apartment of R. W. Elliott, a pharacist, of 1846 Maryland ave. ne., but has denied choking her. He said that later, while they were in Elliott's car, she took a gun from the glove compartment. He said he took it from her to empty it and that it "happened to go off."

He told police he took her out of the car, laid her on the sidewalk, and then returned to Elliott's apartment, where he changed his blood-stained clothes and left a note.

Police said the note, addressed "Dear Doc," was found in a desk in the bedroom. In it, Tyler said that he had gone to sleep and when he woke up, "Janet was gone."

"Three bullets are missing from my gun and there's blood on my pants," the note read, according to police. The note also contained the phrase "I wasn't drunk, don't be misled," police said.

Tyler told police he then drove Elliott's car to New York ave. between 9th and 11th sts. nw., where he left it and took a bus to Chicago. He stayed with his father, Edward Tyler, in Chicago Tuesday night and went to police the next day.

Tyler's wife, Mrs Ianthe Tyler, 20, and his mother, Mrs Julia B. James, live at 2419 1st st. nw.

Tells Police In Chicago Killing Was An Accident

Classmate Denies Criminal Assault; Mother Tips Off D. C. Authorities

By Matt McDade
Post Reporter

Donald Nathan Tyler, 22, Howard University student wanted in the slaying of a coed classmate, surrendered to Chicago police yesterday.

Chicago authorities said Tyler walked into the Wabash Police Station and signed a written statement saying the fatal shooting of 19-year-old Janet Ellen King was an accident.

He gave them a blue-steel, .35-caliber foreign-make gun, which he said "happened to go off" while he was trying to unload it.

The District Coroner said Miss King, a first-year pharmary student from Rutherfordton, N. C., was criminally attacked, choked and shot three times. Her body was found Monday night in the 1200 block of 19th st. ne., near the National Arboretum.

Mother Tells of Arrest

Washington police learned of Tyler's arrest from his mother, Mrs. Julia B. James, of 2419 1st st. nw. She telephoned, saying her son had called from a Chicago police station where he admitted shooting Miss King.

Detective Lieut. Lawrence Hartnett flew to Chicago yesterday afternoon with a murder warrant for his return.

Tyler told reporters he would not fight extradition. "I'll go back willingly," he was quoted as saying, "to get it over with.

Tyler said the shooting occurred where Miss King's body was found. He said he left the blood-stained car on New York ave., between 9th and 11th sts. nw., and took a bus to Chicago. He spent Tuesday night with his father, Edward Tyler, a handyman of 4712 St. Lawrence st., then went to the police.

"I came in here," he said in his statement, "because I knew it was useless and foolish for me not to go to the police and to inform them of an accident I had in Washington."

Suspect's Story

"Sometime before Monday, February 18, I had secured an order from Janet King for the purchase of some lipstick, and on Monday, I met her in the library on the school campus to deliver to her the lipstick she had ordered.

I was driving a 1951 Ford which belonged to Dr. R. W. Elliott of 146 Maryland ave. ne., and she asked me if I would drive her down so she could try and secure a learner's permit for driving.

"I told her I would, and drove her to the District Building, where she took an examination and secured her learner's permit.

"Then we went out to N. E. and drove around until about 315 p. m. We went then to Dr. Elliott's house where we stayed till about 7 p. m., playing records and looking at television. Dr. Elliott was not at home.

"Then we went back to teach her to drive again, and during the time I was going around the car to get on the other side, so that she cocld drive, she had opened the glove compartment and had this automatic in her hand.

"I told her not to play with it as the clip was in it. She handed me the gun. When I got in the car, I was trying to empty it. Somehow it happed to go off, Russell Patterson, who lives at Dr. Elliott's house but is now in the Marines.

"I left a note to Dr. Elliott explaining as best I could what happened . . ."

Took Her From Car

Chicago police said the young married student was composed and apparently earnest. He said he "liked" Miss King, but was not in love with her.

Tyler told reporters he could not explain the fact she was shot three times, unless the automatic

"She fell against me and blood got over the clothing I was wearing, and I became scared and took her out of the car and laid her on the sidewalk which is dirt and I noticed the seat.

fired more than once.

Denies Struggle

Questioned by reporters about other aspects of the case, Tyler said he had relations with Miss King in Elliott's apartment Monday afternoon. But he denied there was a struggle.

When found, Miss King's coat was half ripped from her body, and Elliott told police he saw signs of a struggle in his apartment.

Tyler said he had "caressed" Miss King but not violently enough to leave marks on her throat. As for the coat, he said he thought it was left in the apartment.

Tyler also insisted that the blood-stained car was intact when he parked it, leaving behind items found by police. These included textbooks, Miss King's pocketbook and a box of cosmetics. When police picked up the car, however, it had a shattered right window and there was a brick in the car. Police thought the girl might have locked herself in the car during a struggle and her attacker used a brick to open the door.

Uncle Comes for Body

Meanwhile, Boone King, 39, a farmer of Rutherfordton, N. C. drove to Washington to claim the body and possessions of his niece

Reveals Sordid Tale of How Narcotics Head Encouraged Him To Peddle Dope

By LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — What was the motive which prompted James Milton (Jim Yellow) Roberts to break the criminal code and tell one of the most sordid stories of corruption that has ever been disclosed about the police of any city in America?

To find any crime comparable to the protection of the narcotics racket allegedly given by Lieut. H. H. Carper, head of the narcotics squad of the Metropolitan Police Department, and Sergt. William L. Taylor, a member of the squad, one would have to go back to the assassination of Herman Rosenthal, a gambler, in New York City on July 16, 1912.

For that assassination, Police Lieut. Charles Becker was convicted of murder along with "Gyp the Blood" Horowitz, "Lefty Louis" Rosenberg, "Whitey Lewis" Seidenshner, and "Dago Frank" Cirofici, and were executed at Sing Sing—Becker July 30, 1915, and the others April 13, 1914.

Lowest Of Criminals

But, in the opinion of many people who know the wreckage of human life wrought by the traffic in narcotics, the dope peddler is the lowest of criminals and, if there is still any one lower, it is the police officer who gives him protection.

"Jim Yellow," the son of a Baptist minister, as far as can be learned, began his underworld career as a pimp and a crapshooter. His criminal record dates from September, 1926, when he was arrested on an assault charge. A month later, FBI agents arrested him on two assault charges, for which he was convicted and sentenced to serve 270 days.

Just when he began to peddle narcotics is not known, but he was first arrested on narcotics charges here in 1944 after Federal narcotics agents had made buys from him. Later he was trailed to New York, where he went to buy supplies, and arrested there.

To Federal Prison

Roberts was first tried in New York, convicted and sentenced to serve from three to five years in the federal penitentiary at Milan, Michigan. He was brought back from Milan to stand trial here on charges of selling narcotics. He was again convicted. Judge James M. Morris in District Court here sentenced him to serve from 1 to 3½ years. This sentence was to run concurrently with the New York sentence.

"Jim Yellow" was released on conditional parole from Milan on October 4, 1947, and he returned here. According to his testimony, he intended to lead an honest life and run a restaurant that his wife had been running for him while he was in prison.

But, if his story is believed, Lieut. Carper would not permit him. "Jim Yellow" testified that Carper visited him at his home, told him he had observed him the evening before make a sale of heroin to "Bull" Leach, "fined" him $300 for it, and asked him whether he could get a shipment of narcotics.

"Jim Yellow" testified that he got $10,000 worth of narcotics on credit from New York City, showed the stuff to Carper, and a price of $500 a month, later "upped" to $1,000, was fixed for protection.

From then on, "Jim Yellow's" illicit business grew and flourished. His traffic in narcotics through 1948 and until his arrest in October, 1949, grossed $60,000 a month.

In telling his story to the Senate District of Columbia crime investigating committee, Roberts probably was prompted by two motives, both of which centered around revenge:

Resented White Wife

One, and probably the stronger of the two, is that he believes the girl, the 26-year-old Evalina (Tinky) Roberts, his second wife, and that she was treated harshly because she was married to him.

This view is supported by the testimony of Detective Sergt. Lloyd B. Furr, who requested to appear before the committee to deny Roberts' testimony that Furr police made it rough for him because he was married to a good looking, fairly intelligent white was with Carper the next day after the robbery squad, investigating stolen goods, found seventeen ounces of narcotics in his apartment but left the dope. According to "Jim Yellow," Furr was with Carper the next day when Carper picked up the clothes in his squad car and got $65 from Roberts.

Before Furr testified, Roberts was recalled as a witness before the committee. He testified that he refused to talk when he was taken before the special rackets grand jury because he did not trust detectives he had seen with Thomas Wadden, Assistant United States Attorney directing the grand jury rackets investigation.

"Mr. Wadden is all right and Mr. Irelan is all right. But I don't think they know who they money,'" Furr testified.

"He said 'Lieut. Carper had it were surrounded with," Roberts said. Mr. Irelan is the United States Attorney.

Furr, who was in the hearing room while Roberts testified, followed "Jim Yellow" to the witness chair.

Furr testified that he had talked with Roberts on February 21 or 22 in Mr. Wadden's office. Capt. John B. Monroe was also in the room at the time, Furr said.

Did Not Pay Policeman

"Roberts told me, 'They are trying to make me say I gave Mr. Carper money, but I never gave him or any other policeman in for him because he was married to a white girl. He said he had nothing to talk about. He said the only reason he would talk would be as a favor to "Tinky."

"His wife had received a 4-year sentence and he thought she had got a bum deal. It was her first conviction and he thought she should have had probation."

"Tinky" was convicted in 1950 on the technical charge of transferring marijuana, that is, on two or three occasions she had given "reefers" to a Federal narcotics agent. She was sentenced to sixteen months to four years. Her only previous conviction was on a charge of prostitution in New York City.

A second reason advanced for Jim Yellow's "singing is that he is seeking revenge for failure of Carper to give him protection. According to the testimony, he not only paid Carper $1,000 a month, but "extras" were always coming up. He said if Carper showed him a photograph of an informer who had come to town or gave him any information that cost an extra $150 or $200. He also said Carper and Taylor were always having birthdays and that called for a case of whisky.

But when James Watson, an old friend of "Jim Yellow's" and an undercover man for the Federal narcotics bureau, made buys from him in 1949 and the Federal men began to close in, Carper was unable to afford his protection.

The last payment Roberts testified he made to Carper was on October 1, 1949, of about $1,050. Carper advised Roberts to get out of town for about a year, "Jim Yellow" testified, but he went away and stayed only a day. He testified that on his return Carper suggested that Roberts meet him "and I'll rough you up a little and take you on in."

Roberts refused. Instead he telephoned Thomas Andrews, the head of the Washington office of the Federal narcotics bureau, and two or three days later walked into Andrews' office with his lawyer and bondsman.

A third reason the underworld believes prompted "Jim Yellow" to talk is that he has a "proposition." But Roberts, his ex-wife, "Tinky," and Herbert (Bucklejaws), in their testimony before the committee, have denied that any promises have been made to them by any member of the committee's staff or any member of the committee.

In breaking the underworld code and "singing," Roberts, "Tinky" and "Bucklejaws" have made themselves liable for prosecution on additional charges of conspiracy to violate the narcotics laws, bribing police officers, and evasion of income taxes. In addition, any property that "Jim Yellow" may still have is subject to seizure by the Internal Revenue Bureau toward payment of any income taxes the Gorvernment may claim he owest.

"Tinky" testified that she had never made an inome tax return and, so far as she knew, "Jim Yellow" had never made one. "Bucklejaws" also testified that he had never made an income tax return because he never had anything—all the money he made out of the dope racket went to lawyers.

13 1952 D.C.

Dr. Spriggs Indicted In H.U. Coed's Death

Apx-Anderson P. 22 Col. 2-23-52

13 D.C.

WASHINGTON

Dr. Tolly B. Spriggs was indicted by the grand jury, Monday, in the abortion-death on Dec. 13 of Miss Mary J. Cooper, 19-year-old Howard University coed and niece of C. D. B. King, former Liberian Ambassador to the U.S.

It was the third time in 16 years that a grand jury had returned an indictment here against the 52-year-old physician, whose offices are in the 1000 block of Seventh St., NE. He may be arraigned on Friday.

Under $2,500 bond since Dec. 18, Dr. Spriggs was held for the grand jury following an inquest on Dec. 17 when Deputy Coroner C. J. Murphy disclosed that Miss Cooper's death was due to peritonitis following an illegal operation.

Said He Saw Operation

Clifford Andrews, 24, testified at the inquest that he was with Miss Cooper when she died in the Dunbar Hotel 13 days after Andrews, who hoped to marry her, had watched Dr. Spriggs operate on her Dec. 1 in his offices on Seventh Street.

Andrews, who is under $2,000 bond as a State's witness, said the doctor's fee for the operation was $100.

The death certificate signed by Dr. Spriggs attributed Miss Cooper's demise to "acute cardiac dilation, bronchial pneumonia, and acute hepatitis."

Spriggs A Washingtonian

Her body was removed from the third-story hotel room without the knowledge of the hotel manager who was also unaware that the young woman had died. She and Andrews had registered under the name of Owens.

A native Washingtonian and a 1925 graduate of Howard University's medical school, Dr. Spriggs was convicted on a narcotics charge in June, 1936, and sentenced to serve from 6 to 9 months in jail.

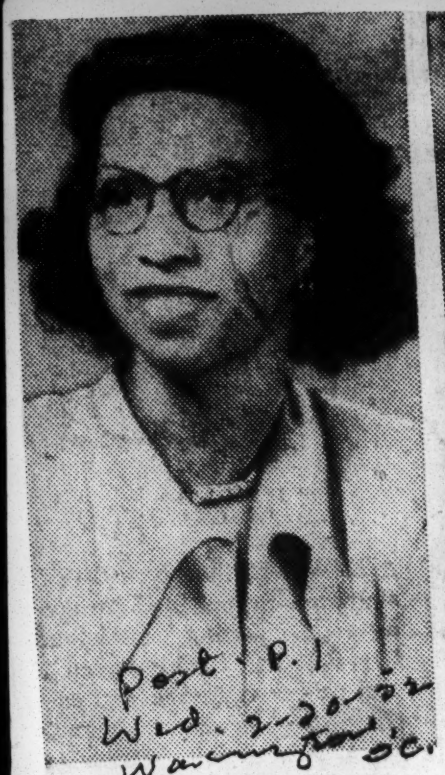
Released For Good Conduct

He had been indicted on May 30, 1936, on three counts of violating the Narcotics Act and pleaded not guilty at first, but later pleaded guilty to one of the counts brought against him.

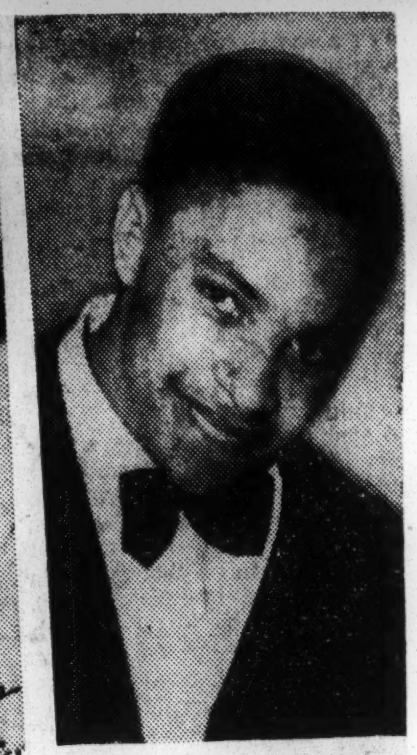
He was released from jail in February, 1937, because of good conduct.

Seven years later, on Jan. 17, 1944, a coroner's jury ordered Dr. Spriggs held for the grand jury in the death of Ruby Wiggins, 27, of 1742 Kalorama Rd., NW, who died in Gallinger Hospital on Jan. 15, 1944.

Indicted on abortion charges March 6, 1944, Dr. Spriggs was arraigned the following March 10 and pleaded not guilty. On July 13, 1944, the case against him was nolle prossed.



JANET ELLEN KING
... coed found slain



DONALD NATHAN TYLER
... sought by police

Police Hunt Classmate In Slaying Of Coed, 19

Spread East Coast Alert for Married Student Suspected Of Rape Shooting

Police broadcast an East Coast lookout yesterday for the classmate of a 19-year-old Howard University co-ed found shot to death Monday night in a dead-end street near the National Arboretum.

The girl, Janet Ellen King, of Rutherfordton, N. C., was apparently thrown from a car in the 1200 block of 19th st ne. about 8:30 p. m., police said. She was found by a couple returning to their home at 1214 19th st. at 8:50 p. m. She was crumpled in a gutter, a coat half ripped from her body.

Dr. Richard Rosenberg, deputy coroner, said the girl had been criminally attacked, choked and shot in the head, shoulder and neck. He said the torn coat indicated a violent struggle, and powder burns showed the three shots were fired at close range.

Married Student Hunted

The lookout named Donald Nathan Tyler, 22, of 2419 1st st. nw., a married student in the College of Pharmacy.

Police said Tyler was implicated after a blood-stained car with a shattered right window was found amandoned on New York ave. nw., yesterday morning. They said Tyler's text books and part of Miss King's underclothing were in the car. A brick, apparently used to break the window, also was found in the foot.

The car belongs to Raymond W. Elliott, a pharmacist of 146 Maryland ave. ne.

Elliott is severely crippled. He said he had known and liked Tyler since the student was a child. In recent years, Elliott told police, Tyler had been driving the car for him and helping him to dress.

According to police, Elliott said Tyler drove him to work Monday morning and agreed to pick him up at 10 p. m. When Tyler did not appear, Elliott was quoted as saying, he took a taxi to his apartment and found signs of a fight. The pharmacist said the room apparently had been straightened up, but a lamp and chair were broken.

Police found blood-stained men's clothing in Elliott's apartment.

Description of Suspect

The lookout described Tyler, wanted for investigation on the murder, as light-skinned, freckled, about feet 10 inches tall and weighing 155 pounds. He was believed to be wearing a dark overcoat an da brown or gray felt hat.

Police said he may have left Washington by bus, because the car was parked near two bus terminals.

Miss King was a brilliant "A" student was transferred to Howard from North Carolina State College at Durham last fall. She had no afternoon classes, and was last seen at the school about noon Monday. She did not sign out to leave the campus, as required by school regulations.

Co-eds in Wheatley Hall said she had been dating other students. Few of them know Tyler. Police also reported they had been unable to establish any prior relationship between the quiet cheerful student and Tyler.

Sends Letter to Mother

President Mordecai W. Johnson of Howard University yesterday released a letter of condolence to the girl's mother, Mrs. Mary Burtdell King, a teacher at Rutherfordton. He said "her conduct in every way had indicated her to be a young woman of strong and admirable character."

When found, Miss King was wearing a red sweater, blue skirt, black moccasins and the violently ripped black coat. The only identification was a class ring bearing the initials JEK, surmounded by an A, and the date 1949.

School officials identified the body.

Police said they had not determined where the slaying took place. A scream was heard in the 19th st. neighborhood about 8:30 p. m.

'Reefer Pads' In Dormitory Called Prank

Afro-American Baltimore P. 1 Dat. 3-1-52



COOK HALL—Here, former white student said dope thrived. Students told AFRO this week. "It was all a joke."

Startling reports about dope-peddling and marijuana-smoking at Howard University, made to officials in Buffalo, N.Y., on Feb. 6, appeared this week to stem from a series of pranks played by students at Howard upon a white former classmate. Afro-American P. 1 Dat. 3-1-52.

The youth, 20 years of age, has not been enrolled at the University since the end of the last quarter. Baltimore, Md., 13 Oct

In a written statement to Buffalo officials investigating narcotics, he described the second floor of Cook Hall, men's dormitory at Howard, as a "headquarters for colored juvenile delinquents who engage in the peddling and consumption of narcotics and other forms of anti-social conduct."

Terrorism Also Charged

"An employee in the Treasurer's office," the statement continued, "accepts bribes from the underworld operators to 'fix' it so that the anti-social people can congregate, and upon this floor they terrorize those who refuse to co-operate with anti-social conduct.

"Some of the faculty have been trying to fight this problem, but most of the authorities responsible for dormitory discipline do not.

The former student went on to state that toward the middle of this past December efforts were made by his fellow-residents in Cook Hall to induce him and another student to join in peddling narcotics.

He also mentioned an "attempted choking and stabbing of the other student and said that another resident "boasted he murdered a girl from Liberia."

In addition, the former student declared, his dormitory mates told him that a relative was paying them large sums for a "Ku Klux Klan lynching" in which he would be hung, but would leave a "suicide note" stating "that I found it such a strain to be in the minority that I decided to kill myself."

Howard officials answering an AFRO quer about the youth said that he had been asked to leave the university upon the recommendation of the campus health service. Afro-American

What Officals Say

Dr. Charle Prudhomme, university psychiatrist, said that the young white man was ill and had been accompanied home by a senior medical student. Dat 3-1-52

No Comment From Dean

Dr. Prudhomme was mentioned in the youth's statement, along with Dr. Ellis Knox of Howard's education department and Dr. Phillip Johnson, dean of medical department. The youth described all three as "very co-operative."

Dr. Knox said that while he had not known the student personally, the student had come to talk to him after hearing Dr. Knox address a student group.

"I referred him to William E. West, dean of men," Dr. Knox declared.

Dean West said he had no comment to make on the situation and referred queries to the pbulic relations office of the university.

Students Planned Hoaxes

Others on the campus said that the young white student was an "odd fellow" and the victim of delusions.

Further inquiry by the AFRO disclosed that the "delusions" were fostered by a series of hoaxes elaborately planned and carefully executed by the student's former mates in Cook Hall.

One of them told the AFRO that the dormitory residents deliberately played upon the credulity of the young man after they discovered, at the beginning of the year, that he "would believe almost anything" and had exaggerated ideas about life among colored persons.

Made Up The Story

This student said that Cook Hall residents convinced the white student that they used marijuana and wanted him to peddle narcotics.

"They were only smoking regular cigarettes," this student said, "but they made him think that they were marijuana.

"The students also staged the 'choking and stabbing;' just to kid him along, and they made up the story about his relative in Connecticut wanting him dead.

Stories Seemed Fantastic

"Because if was just before the holidays, some of the students had quite a lot of cash on hand to show to him and they also fixed up checks signed with the relative's name."

Smash The Dope Gang

The unprecedented rise of the dope craze throughout America may well be called the most tragic aftermath of World War II.

Many attribute this menace to the swing and jazz age, but they fail to understand that jazz and swing are themselves only another, and perhaps less violent, manifestation of the restlessness of the times. Afro-American

It is estimated that there are approximately 50,000 dope addicts of both sexes and all ages in America today.

This is due to many contributing factors, the greatest of which is the false sense of values which all of our media of education and communication have created in a nation which is too rich for its own good.

But much of the unrest is due to the paradox that in spite of all this wealth we are a nation of spiritual paupers, who have become the victims of our high pressure salesmanship. P. 4

Our radio, motion picture and television propaganda constantly whips up appetites which our economic structure is not geared to satisfy. Baltimore

Because of this pressure, janitors and porters must have Cadillacs and Lincolns; domestics must have minks and sables and even those on relief must have televisions and washing machines. Teen-age youngsters must have hot rods and lavish allowances.

These are all desirable ambitions, but when the earning power is inadequate or the stress and strain of trying to make it so becomes too great, the resultant frustrations make the disillusioned easy prey for the trafficker in dope.

These same forces of greed and avarice are the modus operandi of both the peddler and the victim. Dat. 3-8-52

The former seeks a quick way to riches through the enslavement of the addict and the latter seeks to enjoy in a dream world that which he cannot obtain in real life.

Because of this, vigorous law enforcement is the only cure towards which we can turn to effectively smash the traffic.

Preachments are of little avail because even before one succumbs to his first temptation, he knows full well the bitter fruits of such indulgence.

With eyes wide open, thousands pour through the shadowy blinds which can lead but to their own destruction.

Smashing the racket at its source seems our only hope. The tracking down and merciless prosecution of those moral lepers who profit by this traffic should have the highest priority on the business of government.

But even more, we need a national return to sanity in which brash materialism ceases to be the only thing upon which we place any value.

Trunk Victim Was a Mother, 16; Died After Dope Party; Man Held

Mrs. Joanne Barbara Scott, sixteen-year-old Milwaukee mother whose body was found stuffed in a steamer trunk on a waterfront estate in Greenwich, Conn., died after becoming ill at a Harlem narcotics party, police reported yesterday.

The disclosure came after detectives of the West 123d St. station picked up a twenty-nine-year-old Negro, an alleged narcotics peddler who admitted, police said, to stuffing the blonde mother's body in the trunk and hoisting it over a stone wall in a secluded section of the 100-acre estate of Dr. James C. Greenway. Police said they were led to the suspect on "a tip."

Police identified the suspect as Bernie Robinson, a former seaman, of 1070 Stebbins Ave., the Bronx. They said the girl, a narcotics addict since thirteen, with a record of several arrests in Milwaukee, died in a well furnished four-room apartment at 2212 Eighth Ave., near 118th St.

Police were not prepared to say what brought on the girl's fatal illness, but Assistant District Attorney Alexander Herman said that of "several peculiar angles" in the case one being investigated was the possibility of homicide.

Mrs. Scott, according to Milwaukee police, left for New York on Jan. 20, accompanied by Guy Douglas, twenty-one, a Negro, leaving behind her estranged Negro husband, Gerald Scott, twenty, and their sixteen-month-old daughter, Dawn Marie Scott.

The Milwaukee police said Douglas told them he and Mrs. Scott lived in a hotel in Harlem and that she supplied both with narcotics from earnings as a prostitute. Mrs. Scott, it was said, left Douglas Feb. 10 and returned to Milwaukee three days later.

The exact time of her death was not determined. The precise cause of death must await a report, expected tomorrow, from Dr. Abraham Stohlman, Connecticut state taxicologist, in Hartford, where the girl's vital organs and blood samples were sent.

New York, Greenwich and Milwaukee police worked together in apprehending Robinson and unraveling the case. Robinson was arrested at 7:30 a. m. at 121st St. and Eighth Ave., eighteen hours after the gardener on the Greenwich estate discovered Mrs. Scott's body in the trunk.

Mrs. Scott was identified by her husband early yesterday from a picture transmitted to Milwaukee by telephoto. The trail led there when Greenwich police found the label of a Milwaukee store in the girl's shoes.

Police were fairly convinced the girl was a drug addict when an examination of the body disclosed cars on her arms from hypodermic needles.

About 8 p. m. Friday night, it was learned yesterday, police in New York obtained information that led them to the Eighth Ave. apartment. There they found Miss Fair Young, Robinson's Negro girl friend who, police said, said she lived with Robinson and knew the dead girl. The apartment, according to police, had a new lock on the door, a peephole and a special bell.

Robinson, police said, admitted attending a "junk party" with Mrs. Scott and others at least five days ago. They said he called Miss Young at his Stebbins Ave. address to say that Mrs. Scott had become ill. Miss Young, according to police, advised Robinson to summon a physician, but the girl died before anything was done for her.

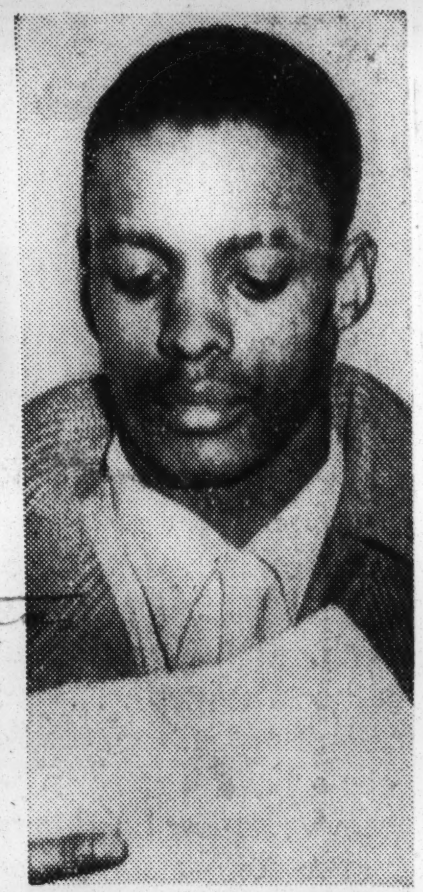
Robinson, it was said, then put the body in a trunk and hired a truck driver to transport him and the trunk to Connecticut.

In Milwaukee, Mrs. Scott's father, George Richardson, second mate on a Great Lakes cargo ship, said he would claim the body.

Teen-Age Trunk Victim and Her Husband



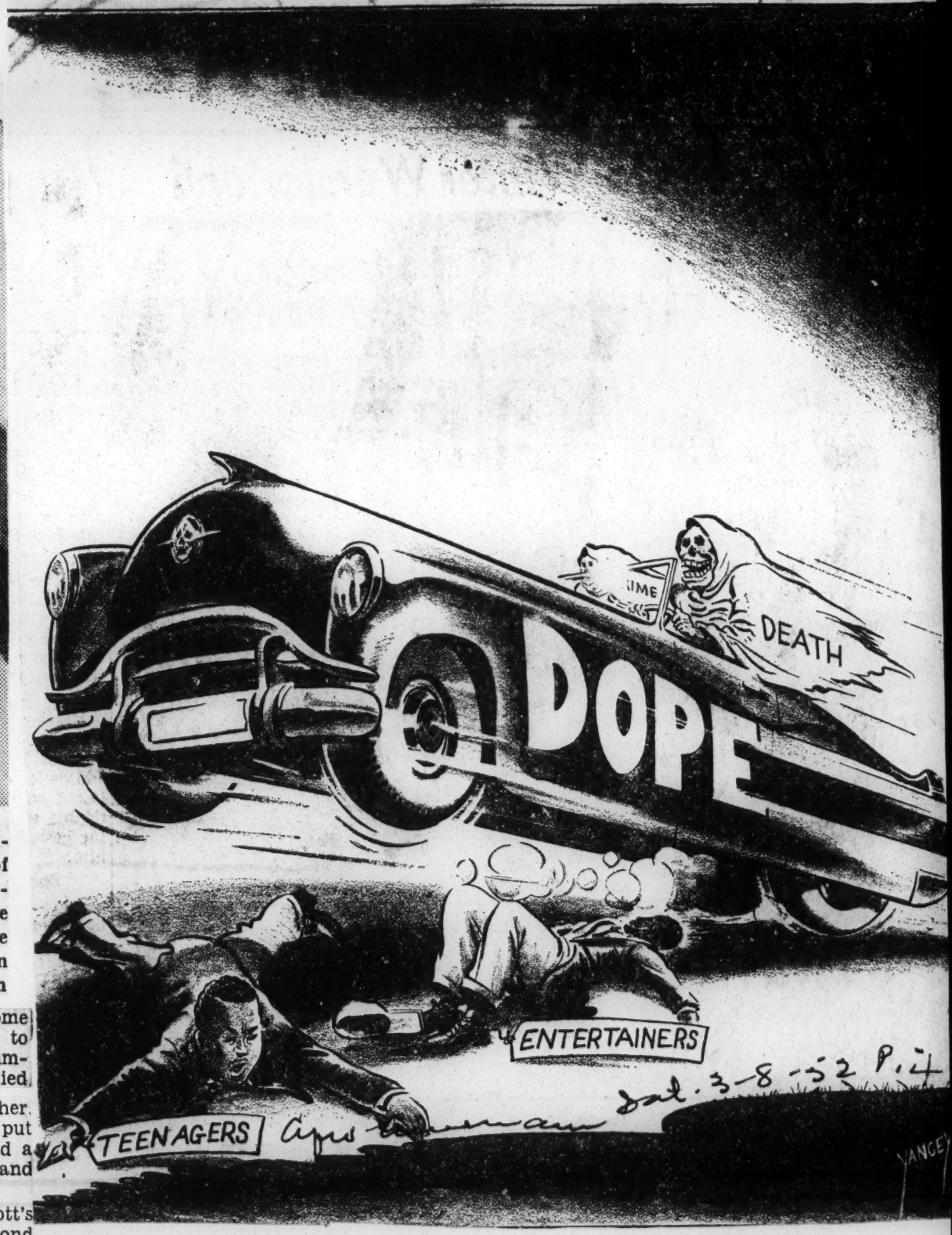
Mrs. Joanne Barbara Scott, sixteen-year-old mother, whose body was crammed into a trunk and left on a Connecticut estate after she reportedly died of an overdose of narcotics at a Harlem party



Herald Tribune—United Press telephotos

Gerald Scott, twenty, of Milwaukee, estranged husband of the young drug addict, studying a telephoto of his wife after identifying her as the blonde found dead Friday in trunk on estate in Greenwich

New Car But The Same Old Driver



Detective Sobs As Gambler-Cop Alliance Is Bared

Says Police Chief Threatened Him For Probing Numbers War Shooting; Bribed Cops Named

WASHINGTON—The sobbing of a retired detective sergeant as he told how a former police chief threatened to send him to the pentitentiary for probing a numbers war shooting; and the naming of Lt. Daniel Pittman, Washington's ranking colored policeman in connection with big-time gamblers, sparked the Senate District Crime hearings, Friday.

Retired Det. Sgt. Reuben Nichols, broke down and cried, as he told the Crime Subcommittee, Friday, that former Police Chief Robert J. Barrett threatened to jail him and accused him of attempting a $5,000 shakedown on Roger (Whitetop) Simkins, reputed boss of uptown Washington gambling circles.

He was called on the carpet in Major Barrett's office, Nichols said, following his investigation of the January 1948 shooting in the Brass Rail Cafe, owned by Simkins' wife, Yvonne.

Exchange Gunfire

In the Brass Rail incident, Charles H. Nelson, then night manager of the place, exchanged gunfire with Gambler Henry (Piggy) Leake, who reportedly came gunning for "Whitetop" over a numbers dispute. Both Nelson and Leake were wounded.

Nichols told the crime investigators that prior to the shooting, he had heard U St. numbers men were plotting to kill Simkins and the late Shep Shapiro, for "squeezing" them out of the business, apparently with the sanction of top-ranking police officials.

"It seems as though Simkins, during 1947, had started to take their (other backers) play, and I understand that he would go around, or send emissaries around to demand these books," Nichols testified.

Police Behind Scheme

That "Whitetop" operated with "police power," was indicated in Nichols' statement that Simkins would tell numbers writers he sought to "steal". "—If you don't come up with them (numbers books), look for the man (police) tomorrow."

Nichols said that he is friendly with Nelson and when he heard about the threats against "Whitetop's" life, he warned the cafe manager. "—Don't get in the way of any shooting if anybody comes gunning for Simkins."

Nichols said that on a call from Nelson's wife, he went to see Nelson in Freedmen's Hospital, following the shooting.

After talking to the wounded man, Nichols said, he then took the matter to Captain Clyde Strange at Precinct No. Two, and at the urging of Mrs. Nelson, to Lieutenant Pittman at No. 13 Precinct.

The following night, Nichols testified, he accepted an invitation from Simkins to watch a televised fight, and at that time, "Whitetop" berated him for working the Nelson shooting.

"I just left your boss' home (thought to be referring to Major Barrett), and I'm going to have you in his office tomorrow at 9:15 a.m. I'm going to teach you not to meddle in my business," Nichols quoted "Whitetop" as saying.

"Whitetop" Right

As Simkins had predicted, Nichols said, the following morning Major Barrett called him into his office, locked the doors, and shouted:

"So you're up to more of your so-and-so tricks?"

He said that Barrett accused him of "putting Nelson up to trying to shake Simkins down for $5,000."

"I'm going to put you in the penitentiary for it," Nichols said the chief told him.

Nichols, who has retired on physical disability, told the committee that Barrett demanded his resignation "in 15 minutes."

Finally, Nichols said, he told Barrett, "Your bark doesn't frighten me," and left. He said that dispite the threats, he was not subjected to disciplinary action.

Nelson Talks

At the time he went to see Nelson in the hospital, Nichols said, the wounded man appeared very bitter and said then that he was going to tell "everything he knew."

It might not have been "everything," but Nelson said, a mouthful, Friday, as he shocked the packed gathering at the hearings, when he connected Lieutenant Pittman with payoffs in the local numbers racket.

Also included in his name-calling, were Det. Sgts. Paul H. Clarke and Howard Ogle; and two unidentified ABC officials.

Pittman Captaincy Urged

Washingtonians were taken back by the Pittman-gamblers linking. The highest ranking colored policeman has had the backing of numerous civic organizations, influential persons asking his promotion to captain.

When Nelson's explosive "link" came out, the AFRO dispatched reporters to ask Lieutenant Pittman for a "What about it?" statement.

Police officials told the reporters that Pittman has been on sick leave for the past two weeks. Repeated efforts by the AFRO to reach Pittman at his home, have failed.

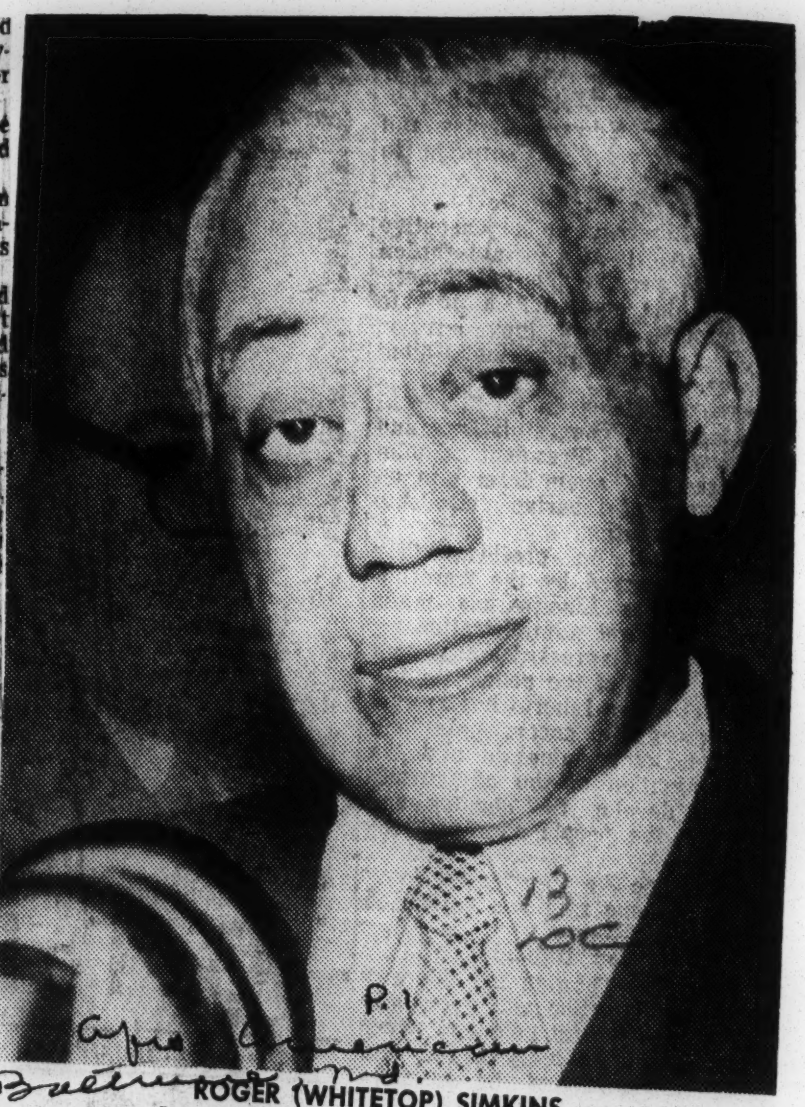
That old familiar ring that accompanies these type of things, is floating around Washington. The word is: "Pittman knew it was coming."

Wait End of Hearings

Meanwhile, Robert V. Murray Superintendent of Police, states that no action will be taken against Pittman's alleged connections with Simkins, until the crime hearings end.

Nelson, among other things, told the committee that Simkins once left a sealed envelope with him that had Pittman's name on it. Pittman came to the Brass Rail for the envelope, Nelson said. It contents were not disclosed.

Nelson's testimony follows:



ROGER (WHITETOP) SIMKINS
Reputed numbers czar refused to talk

14 Arraigned On Narcotics Law Charges

Fourteen persons were arraigned yesterday before United States Commissioner Cyril S. Lawrence on narcotics charges and held under bond for grand jury action.

Among them was a youth whose father had already made plans for him to go to the Federal Hospital for narcotic addicts in Lexington, Ky., police said.

Twelve of the 14 arraigned were arrested January 4 in the Nation-wide crackdown on narcotics traffic.

An undercover agent told Lawrence he had bought 25 narcotics capsules from Edward D. Monahan, 20, of 3821 22d st. ne. for $50.

Monahan's lawyer requested low bond, explaining his father had bought him a ticket for the narcotics hospital at Lexington the day before his arrest. Monahan was held under $2500 bond. He is charged with possession and sale of heroin.

An analysis of 20 marijuana cigarettes sold to an undercover agent by Alphonso Cephas, 18, indicated that six of the cigarettes were tea. Cephas was held under $2500 bond, charged with violation of the Marijuana Tax Act. Police said he lived at 618 Springman ct. sw.

Also arraigned and charged with violation of the Marijuana Tax Act were: John F. Lohman, 22, 366 N st. sw. He waived preliminary hearing and was held under $4000 bond; James F. Woods, 19, of 227 Evans la., Alexandria, held on $1500 bond.

Pvt. Walter Brown of Fort Belvoir, Va., held on $2500 bond; Frank L. Gallant, 21 of Fort McNair, held under $3000 bond; George Alfred jr., 20 of 614 Seaman's ct. nw., held under $2000 bond.

Arraigned and charged with possession and sale of narcotics were Esly Coleman of Baltimore, a Howard University student, held under $3000 bond; Joseph Sisney, 20, of 3756 Hayes st. ne., whe waived preliminary hearing and was held under $4500 bond; Albert Brooke, 20, of 204 F st. nw., held on $3500 bond.

James Edward Johnson. 18. 732 Morton St. n.w., was held on $3000 bond, charged with possession and sale of heroin and violation of the Marijuanan Tax stamp Act.

Also arraigned, though not arrested during the recent Federal raids, were Inez Coleman, 32 of 114 F st. s.w., held under $3000 bond, charged with sale and possession of narcotics and Theodore Miles, 26 of 113 F st. s.w., similarly charged.



Awaits Probe Call

Odessa Marie Madre, 43, now serving time on narcotics charges at the Federal Penitentiary at Alderson, W. Va., has been transferred to the District Jail so she will be available as a witness in the crime hearings. Self styled numbers "queen," she testified before the special grand jury investigating gambling in 1948.

'Not Afraid Anymore' Says Probe 'Singer'

Whitetop's Ex-Girl Friend Denies She's Received Threats

By AL SWEENEY

WASHINGTON

"I am not afraid, anymore," Sarah (Dimples) Mears Hall, acknowledged former girl friend of Roger (Whitetop) Simkins, eputed top local gambler, told the AFRO in an exclusive interview last Thursday night.

The buxom redhead was the "talk of the town" last week when her sensational testimony before the Senate District Crime Subcommittee laid bare the gambling operations of Simkins from 1940 until 1945.

Since her revealing testimony to the crime probers before a packed hearing room of spectators, and thousands of television viewers and radio listeners, there have been rumors rampant of threatened reprisals on her life.

Reports of Threat Not True

She gave the lie to these reports as she told an AFRO reporter:

"I have never personally received a threat by telephone, letter or otherwise. I think the police were more concerned than I because three detectives took me to a safe place the night after I testified.

"They kept me under guard for two days, but they found out the reports were being made by someone who said he was joking.

"Frankly, I was scared then. However, I am not afraid anymore. I have been assured that there was nothing to the threats.

Talked While She Worked

The attractive matron with the fiery hair talked while she tended bar at Al's Crystal Bar, located in the unit block of G St., NW, in the rear of the Government Printing Office.

The cafe was half-filled with customers. The musical back ground provided by the juke box which blared Dinah Washington's "I Won't Cry Anymore" seemed appropriate as Mrs. Mears answered the reporter's questions.

The full-bosomed barmaid wore a purple sweater to excellent advantage and startled me as I took a verbal route clear around the Capitol to find out her age.

Admits Being 40

The shock to this embarrassed reporter (well aware that in querying a woman about her age I was treading on dangerous ground) was provided when she readily answered the question with a knowing smile:

"I am 40.

"I was born in Baltimore and have four brothers and four sisters," as if anticipating the next question.

"Two of my sisters are living in Baltimore and two are in New York City. All of my brothers are in the Army, but I don't know where they are stationed.

"However, I am not going to give you their names, because I don't want them dragged into this," she parried, closing the door to an obvious question.

She then dashed off to wait on a customer and ring up a couple of checks on the cash register. Miss Mears doubles as barmaid and cashier at the cafe.

How She Met Simkins

Upon her return, the next query was: "How did you meet Mr. Simkins."

As she started to answer, the juke box again blarred forth with "I Won't Cry Anymore."

Then, with a kind of haunting look in her saucer-like eyes she said: "I was working at Herb Saunders Old Rose Club at the time, back in 1940..."

As she went to serve a customer, this reporter pictured her as a glamor girl in her late 20's working in that one-time popular rendezvous for nocturnal prowlers.

One could just visualize Jerome Carrington, the "man with a thousand melodies," chanting song after song while pounding away on the Old Rose's battered upright. Those were the "good old days."

Her Husband

The next series of questions dealt with her present husband.

"His name is Pearly, spelled P-e-a-r-l-y, Hall," she revealed. "He is a Pullman porter and makes the D.C.-to-Miami run.

"We have been married three years. Jan. 3, 1949 was the date of our marriage," she said.

However, she added, "we have been separated about a year." It was her only marriage and she has no children, she revealed.

Until the investigators of the crime probers subpoenaed her one night about a month ago while she was at work, she said her association with Simkins had "been dead, buried and forgotten."

Called At Night

"They wanted me to go with them that night, but I asked them not to take me off my job and assured them that I would come in the next morning at 10," she asserted.

5-Hour Ordeal

From 10 a.m. until 3:30 p.m., she was questioned by Arnold Bauman and Harold Solomon, committee investigators, she said.

She reiterated a previous statement made to another AFRO reporter that "there was nothing personal behind my testimony. They asked me questions and told them the truth. I am certainly not going to jail for nobody," she said defiantly.

How they discovered her former association with Simkins she had no idea.

Her main concern did not seem to be for herself. "I just don't want my mother to hear about this. She is ill and it would kill her," she stated.

Busy Time

"I wish I could talk to you longer," she said, "but this is a busy time. The boys from GPO are coming in now, so I'd better attend to business."

With that, she left. As I went through the door, some guy was still playing that number — "I Won't Cry Anymore."

It's funny how the words of a song can keep running through your mind, I thought as I left the bar. The haunting strains ran in my ears:

"I won't cry anymore,
Now that you've left me,
I won't cry anymore,
Now that you've gone..."

Suspend Cop In Blackmail Plot in Atlanta

ATLANTA—A city policeman last week had been suspended in connection with the alleged blackmail plot on an unidentified Atlanta Negro businessman.

The policeman was identified by Police Chief Herbert T. Jenkins as city Patrolman V. C. Varnum of Pryor Street, S. W. Varnum's equipment, his badge and gun, were taken from him and he will be kept from working "until this thing is investigated further," Chief Jenkins announced.

PROBE CONTINUES

The chief said the officer had not been identified by the alleged victim and that there was insufficient evidence to prove that he had any part in the alleged blackmail plot. The investigation was continuing.

The Atlanta officer's suspension followed seizure of Charles D. Rogers alias Clyde Rogers, 29-year-old white man, in connection with the alleged blackmail plot. Chief Jenkins said Rogers named Varnum as a participant, which the officer promptly denied.

Meanwhile, investigation continued through the office of Fulton Solicitor General Paul Webb. The victim had been stopped on two occasions "for Rogers" by a man in policeman's uniform, it was reported at the solicitor's office, which did not release the name of the person said to have paid out some $200,000 over a period of eighteen months.

Man Wounds 6 Cops, Winds Up In Hospital

Flees From Officers, Runs Home, Emerges Firing As They Close In

FORT PIERCE, Fla. — Police Patrolman Lester Whiddon, who was wounded seriously in a shooting spree in which five of his fellow officers also suffered wounds, was said by his attending physician to be out of danger and "doing quite well," on Wednesday.

Lewis Gilchrist, special colored policeman, who also was wounded, had returned to his home from a hospital and Elmo Mims, colored filling station attendant, charged with shooting the two officers, has been transferred to the hospital at the state prison farm at Raiford.

Three Others Wounded

He was reportedly in a critical condition from several bullet wounds inflicted in the shooting scrape. Meantime, three other policemen who received minor injuries in the fracas had returned to their homes earlier in the week after treatment of wounds.

They are Patrolmen Jack Stuart, who suffered minor knee injuries; Sheldon Kemp, who remained in the hospital over last weekend from a severe ankle sprain, and J. L. Blakely, special colored officer, who suffered a severe shoulder sprain.

Whiddon had a crease wound in the right chest wall, a perforating wound of the right breast and an arm fracture. Mims was shot in both sides of the chest, in a thigh and about the fingers of both hands. Gilchrist received a flesh wound in the neck.

Two warrants charging assault with intent to kill have been filed against Mims and will be served when he shows improvement at the Raiford hospital.

Say Man Fired On Cops

Reports of the incident say that the three colored officers were attempting to arrest Mims for creating a disturbance on a street in the colored section Saturday night when he broke away and ran into his home.

He came out firing a .22 rifle when the police closed in on him and called to him to surrender, the officers said, adding that Whiddon and Gilchrist fell before police fire dropped Mims.

Police said Mims has a good reputation and gave no reason for his action.

Police Chief H. L. Conyers said feeling was not especially high but that Mims was rushed away to Raiford the night of the shooting as a precautionary measure.

Case Arose In Florida Civil Court

Prosecutor Accused Of Wilfully Keeping Colored Man in Jail

JACKSONVILLE, Fla (NNPA)—The state's attorney here was indicted last Wednesday by a federal grand jury on a charge of wilfully depriving a colored man of his civil rights under a section of existing federal civil right statutes and due process clause of the 14th Amendment.

The indictment accuses State's Attorney Jesse W. Hunter of keeping David McKindrick Reese in jail for 19 months without filing any information or charge against him.

A spokesman for the Justice Department said Reese first got into trouble in 1950. At the time, he was 23 years old. He is now 25.

* * *

REESE WAS tried and found not guilty of a murder charge in the Circuit Court of the Fifth Judicial Circuit of Hernando county on July 20, 1950. His co-defendant was found guilty.

After the jury returned its verdict, State's Attorney Hunter requested the circuit court to have Reese detained for further prosecution as an accessory before the fact. The court directed that Reese be held in Hernando county jail until the State's Attorney had time to prepare an information.

* * *

REESE REMAINED in jail until last February 24, although no information or other legal accusation was ever filed against him in connection with the case.

The United States Attorney at Jacksonville held that the State's Attorney was aware through the 19 months that Reese was in jail without any charge pending against him and took no action to effect his release.

The lawyer, who had represented Reese's co-defendant in the murder case but not Reese, had several times called the matter to the attention of the State's Attorney.

The case was presented to the Federal grand jury by Ben Brooks, who was sent here for that purpose from the trial section of the criminal division of the Justice Department.

Dynamite stick seems replacing blazing cross in race flare-u

BY BEM PRICE

ATLANTA, Feb. 2—(AP)—The dynamite stick apparently is replacing the burning cross and stinging lash in the South's pattern of violence.

Since the pattern first began emerging in Birmingham, Ala., in early 1949 there have been 48 dynamitings involving mostly the old white-Negro feud but spreading to religion and personal revenge.

"I think," said Alex Miller, "that the pattern is self-evident. Twenty years ago the weapon of intimidation was lynching. Then came the burning cross and floggings."

"But in Birmingham," Miller continued, "they came up with a new weapon and one that has the advantage of destroying all evidence, the dynamite stick."

Miller, Southern regional head of the Anti-Defamation League of B'nai Brith, added: "I predict the pattern will spread, it is a new weapon. I believe, too, it will not be confined to the South alone but will find use wherever racial or religious tensions are strong."

Then the expert observer on the Southern region commented, "You can look for an increasing number of dynamitings in the South. The old legal barriers governing racial segregation are tumbling and Negroes are shaking off the ghettoes and expanding."

MILLER ALSO said in his opinion these dynamitings were not connected save through the thinking to be found in the mentality "often associated with the Ku Klux Klan."

"Wherever," he continued, "people with this type of mind find their prejudices are not reinforced by the law, their immediate thought is to resort to violence."

The record goes like this:

BIRMINGHAM, Ala. — Ten unsolved bombings of Negro homes since 1949 as the Negro community struggled to expand into areas previously white.

NASHVILLE, Tenn.—In December, 1949, a Negro home in a once all-white neighborhood was damaged by dynamite. There was another similar bombing in September, 1950.

CHATTANOOGA, Tenn. — A porch was blown off a Negro home in a case similar to the Nashville incidents.

ATLANTA—Seven bombings of Negro homes in once white areas since 1949. There have been none since two men, one of whom admitted he was affiliated with the Ku Klux Klan, were arrested and indicted.

NEW ORLEANS — Forty-eight hours after a court ruling in May, 1951, that the city could not enforce a racially discriminatory zoning law, a $16,000 Negro home was blown up.

DALLAS, Tex.—Two men were arrested in July, 1951, in connection with an investigation into 13 bombings of Negro homes on the fringe of white sections.

MIAMI — A Jewish Synagogue was damaged June 5, 1951, by dynamite. An unoccupied building in a Negro housing project bordering a white project was severely damaged Sept. 22. Two unexploded sticks of dynamite were found Oct. 9 near another Jewish Synagogue.

Two unexploded sticks were found Oct. 15 on steps of a Jewish school. Dynamite was found Nov. 1 on steps of Dade County Courthouse. A second Carver Village project home bombed Nov. 30.

On Dec. 2, a Hebrew school was bombed and 44 memorial windows shattered. This same day another blast was reported in the housing project but with no damage.

A stick of dynamite with a partly burned fuse was found on the steps of the Saint Peter and Saint Paul Catholic Church. On Dec. 25 police reported an attempt to bomb the Hialeah-Miami Springs Jewish community center was thwarted.

MIMS, Fla. — —Harry T. Moore state coordinator for the National Association for the Advancement of Colored People, and his wife were fatally injured by a dynamite blast Dec. 25, 1951.

ROME, Ga.—A dynamite blast was set off near a Negro social club after complaints that it was "a public nuisance."

CROSSVILLE, Ala.—The home of a woman was dynamited Jan. 1 in what police said was a bootlegging feud.

PHENIX CITY, Ala.—The home of an anti-vice crusader was dynamited Jan. 9.

Miller said the Miami attacks on places of worship could be attributed in large measure to "cultural tensions and the inevitable North-South struggle.

"There are large numbers of Jews in the community, many from the North, and where two cultures are in daily contact there are bound to be irritations."



Bygone relic — Dynamite is replacing it.



Hate weapon wrecked home of Harry T. Moore at Mims, Fla., the result of a blast on Christmas Day that killed Moore and his wife. This terrorism is replacing the blazing cross.

Fewer Whites Executed In U.S. Than Other Races

Afro American Pg 1 Oct. 5-10-52

13 Years

WASHINGTON

During the past 20 years more than three colored persons out of every 30,000 have been legally executed in the United States whereas only three white persons out of every 270,000 have met death in this manner.

These figures are among others disclosed in the phamplet called National Prisoner Statistics, released last week by the Federal Bureau of Prisons.

The phamplet discloses that of 3,029 total executions, the majority of those killed by the various States, 1,636 or 57.2 percent, were colored while some 1,356 or 41.6 per cent, were white, despite the fact that only one-tenth of the population of this country is colored.

Baltimore, Md.

The ratio of executions of colored persons is from three to five times the ratio of whites. For example, while 26 whites were put to death or the crime of rape some 233 colored persons were legally slain for such a crime.

These figures do not include executions by military authorities, which during the 20-year period have executed 148 persons, all from 1942 to 1950. Although no racial break-down is given on military executions, it is known that the majority of those officially killed after court martials were colored.

1935 Bumper Year

The largest number of executions during the period occurred during 1935, when a total of 199 persons were officially killed, 119 of whom were white and 77 of whom were not white.

The following year, the old racial pattern was restored, with 100 colored persons dying by official means to 92 whites.

During the 14-year period, 1937-1950, 730 whites were executed for murder, 26 rape, 4 armed robbery, 8 kidnapping, 6 espionage and 1 aggravated assault.

No Tan Spies Killed

In the same period, 815 colored persons were killed for the crime of murder 233, rape 9, armed robbery, 7 burglary and 1 undetermined offense.

Members of other races accounted for only 21 executions during the period, as follows: American Indian 10, Chinese 4, Filipinos 1, and Japanese 1. Except for 2 American Indians executed for rape, all were killed for the crime of murder.

During the 14 years, only 13 females,—9 colored and 4 white—were executed, all of them for murder

Georgia Slays Most

Except for 3 in Missouri, all of the executions for rape occurred in the South. The death penalty could legally be imposed for rape only in the 18 jurisdictions where executions for this offense actually occurred, and in two others—Nevada and the Federal jurisdiction.

From 1937 to 1950, Georgia led all other States in the number of executions, having killed 182 persons, 149 of whom were colored and 33 of whom were white.

Other states which killed more colored persons than whites and the figures on the executions are: North Carolina, 125, 33; Texas, 84, 41; Mississippi, 62, 14; South Carolina, 61, 19; Alabama, 58, 18; Florida, 55, 23; Arkansas, 45, 15; Louisana, 44, 15; Virginia, 41,8; Tennessee, 38, 22; Maryland, 38, 11; and District of Columbia, 18, 8 and Delaware, 5, 1.

The total contributed by Southern States was 858 colored persons executed to 311 whites, 1,169 in all.

Executions Declining

According to statistics in the phamplet, executions are gradually decreasing with the figure declining from the high of 199 cited for 1935 to 82 in 1950.

Five states of this nation do not provide for capital punishment. They are Maine, Michigan, Wisconsin, Minnesota and North Dakota, all in the northernmost area of the country.

Parents Sue For $97,000.00 in 'Bad Whiskey' Incident

ATLANTA — (ANP) — A damage suit amounting to $90,701 was filed last week against the three men accused of mixing and selling poison liquor, and against the druggist furnishing them with the wood alcohol which went into the brew.

The suit was filed on behalf of the three minors of Mrs. Ole Mae Wright, by Atty. Joe Salem. Mrs. Wright was one of the 88 persons whose deaths were attributed to the fatal drink mixed with methyl (wood) alcohol.

Defendants named in the case are John R. "Fats" Hardy, convicted two weeks ago and sentenced to life imprisonment for his share in the mass murder.

The druggist, C. B. Wheeler, who confessed selling Hardy the wood alcohol, and Roger Smallwood, Richard Weems and L. O. Riggins, all are under manslaughter in the case.

The suit asked for $50,000 punitive damages, and $40,701 on the basis of the deceased woman's life expectancy.

The named trio are also defendants in a $100,000 damage suit filed by a husband of another of the liquor victims.

Wheeler, the druggest, said that he thought Hardy a garage operator and did not know that he wanted the poison alcohol for mixing the moonshine.

Stronger Control On Narcotics

Passage of a law in the Georgia Legislature to make the sale of narcotics to minors a capital offense, punishable by life imprisonment or death, is the most effective approach to the dope traffic.

This move on the part of Georgia solons should inspire similar legislation by other states, and even the Congress of the United States.

The stiffer law against the sale or distribution of narcotics not only reduces the trade, by lessening the number of salesmen willing to take a chance at greater risk, but it acts to prevent trial of drugs by misguided youths ..... since the drug would not be easily obtained.

Dopes, including marijuana, and various exponents of opium enter this country through strategic ports like San Francisco, New York, New Orleans, El Paso, Miami and Detroit.

The control of the inter-state distribution is centered in big metropolitan areas as Chicago. Philadelphia, Washington, D. C. and Los Angeles.

The soft "laws" of these areas are invitations and encouragements to dope racketeers to maintain vast reservoirs of narcotics for distribution to other areas.

The passage of laws in other states to stiffer penalties for possession and distribution of narcotics would necessarily lessen the ambition of big time operators.

The passage of Federal laws stiffening penalties from an inter-state point of view, would check undisturbed distribution to states where it is not entered into this country.

Every state in the Union should enact a law similar to the measure recently passed by the Georgia Legislature if our nation is to make a practical approach to the evils of narcotics and save our children from the degenerating effects of this menace.

Congress, if it wants to join the various states in stamping out this social menace, should and must pass stronger laws regarding its importation, distribution, and sale.

Legislature Votes On Narcotics Bill

The Georgia Legislature strengthened its Anti-Narcotics program Friday as the House approved unanimously a measure providing confiscation of vehicles used for transportation of illicit drugs.

The House approved a bill now going to the State Senate, which has already acted to provide stiffer penalties for narcotics peddlers. One measure would allow the death penalty for persons selling narcotics to minors.

The House Friday received another measure designed to meet the annual increase in number of illegitimate children. The legislature, which previously refused to provide for criminal action against an unwed mother, today received a bill holding the mother of an illegitimate child an "unfit parent." The bill, introduced by Rep. L. T. Barber, of Colquitt County, would make all children born out of wedlock legal awards of the county ordinary.

Officials experienced difficulty today in getting a quorum in both Chambers, and most of the session today was spent on local legislation. After the comparatively brief session, both the House and Senate recessed this afternoon for the weekend.

Milledgeville Hit Anew By Teen-Age Terrorists

Constitution State News Service

MILLEDGEVILLE, Jan. 4—Teen-aged terrorists Friday struck anew at Negro sections of this middle Georgia community despite efforts of local and state officers, who had rounded up six 16-year-olds armed with pistols and rifles and clad in stolen Ku Klux Klan regalia.

At 9 a. m. Friday, a group of white youths attempted to force several 15-year-old Negro school girls into a truck in the north section of the city, Police Chief Eugene Ellis said. The girls fled and the youths drove away.

Six youths were arrested on New Year's Eve after visiting two Negro night clubs near Milledgeville. Officers said the six were clad in robes, hoods and other regalia taken in a burglary at the Klan headquarters in Milledgeville and also carried rifles.

In one Negro club, officers related, the hooded group lined up late-hour patrons at gunpoint and forced them to toss knives and other weapons to the floor. The leader gathered up the knives and then instructed members of the group to shoot out electric lights in the club.

The teen-aged "night riders" did not take anything except the weapons, officers said.

After the group left, an employee of the club telephoned police headquarters. A posse of Milledgeville police, Georgia Bureau of Investigation agents and Baldwin County officers met the robed group at the city limits and took them into custody.

"While we were talking with them at headquarters, a report came in that another group of youngsters were hurling rocks through windows of a Negro section," an investigator said. "They undoubtedly are responsible for part of the trouble, but not all."

After questioning, the six were released in the care of their parents, following a more complete investigation.

Milledgeville officers said complaints of rock throwings and molesting in Negro sections have plagued investigators for the last six weeks. The GBI is aiding Baldwin County and city officers in the investigation.

Car Bumped; Man Beaten, Bound Over

Members of the Eagan Homes Registration committee asked the Atlanta Negro Voters League to aid the defense of John Latimore, assistant secretary of the committee. He was attacked Saturday night by a group of white men while riding along Peachtree Street near the William-Oliver Building, when his car was slightly bumped by another car whose occupants were young white men.

These men told Mr. Latimore to get off the street and attempted to chase him off. He was reportedly followed several blocks, cursed along the way and finally blocked by a local white cab company's car on Marietta at Forsyth Street. The occupants of the trailing car and the cab proceeded to attack Mr. Latimore with other white assailants from other cars joining the fray with fists and a baseball bat.

In the melee the victim's arm was reportedly broken and his head injured. Cruising white policemen stopped the fight and carried Mr. Latimore to Grady Hospital and booked charges. He was charged with operating a car under the influence of intoxicants and with assault and battery. He was tried in police court Monday, March 31, and bound over to the state court.

Mr. Latimore strongly denies the charges, according to the Eagan committee.

The N. A. A. C. P. has been also asked to aid in this case.

Detectives Probe Shooting At Morris Brown

Atlanta, Georgia — Atlanta detectives Monday were investigating circumstances surrounding the Sunday shooting of a 19-year-old school student in the men's dormitory of Morris Brown college.

Detectives J. E. Helms and W. M. Holland said that investigations Sunday following the shooting had failed to shed light on a clear motive for the shooting of the youth by one of his fellow students.

The victim, listed on police records as Frank Mitchell, 19, of Murfreesboro, Tennessee was interned at Harris Memorial Hospital Sunday and treated by a private physician, Detective Holland related Monday.

Held on an open charge of shooting another was Joseph Jenkins, 18, of Washington, D. C., police said. Detective Holland said he would probably be allowed to make bond today after the seriousness of Mitchell's condition was determined.

Jenkins was brought to the detective bureau Sunday by the dean of men of the college who also turned in a 22 caliber pistol, which was admittedly the assault weapon, police said. Jenkins was quoted as saying Mitchell was shot about 1:30 p.m. accidentally.

Night Riders Shoot Georgia Negroes

SAVANNAH, Ga., July 20 (AP) —County police were alerted tonight to be on the lookout for nigght-riders taking potshots from passing automobiles.

The third Negro victim of gunshot wounds inflicted from passing cars is in a hospital in fair condition after being felled with a bullet in the back early this morning.

The latest target of the unknown assailants is Joseph Gadson, 39. Police believe he was shot with a .32 calibre weapon.

Gadson told County Policemen A. M. Hodges and Stan Cohen the shot was fired from a blue car, but he did not know who was riding in it.

George Doyle, a Negro workman, was struck in the leg last Thursday morning by a .22 calibre bullet fired from a car passing a farm where he was employed.

Robert Lee Williams also was shot in the legs by a bullet fired from a car that passed his home shortly before midnight July 12.

Sues Atlanta Druggists; Wins Award

ATLANTA — Mrs. Myrtice B. Hudson was awarded $138,920 in damages last week as result of a suit filed against the Yates and Milton pharmacy for the death of her daughter Oct. 29, 1951.

Mrs. Hudson had filed suit against the partners last Jan. 31, charging that her daughter, Betty, 22, was killed as results of a collision Oct. 29, 1951, involving a Yates and Milton delivery truck.

In her original complaint Mrs. Hudson asked for $200,000 as "the full value of her daughter's life" and $50,000 for "the severe lasting and permanent shock."

Police Hunt Slasher After Auto Crash

An intensive police search was in progress early Saturday for a Negro man who stabbed and seriously wounded Edward D. Parrish, 30, of 764 Fayetteville Rd., S. E., following an automobile collision at Fayetteville and Terry Mill Rds., S. E., according to police.

Mrs. Parrish told police that a truck occupied by four Negroes collided with her husband's car, badly wrecking the Parrish vehicle. She said her husband jumped out of the car and ran after one of the Negroes who fled from the truck.

He overtook the Negro several yards from the wreck scene, police said. The Negro drew a knife and stabbed Parrish several times in the face and body, Mrs. Parrish told police. Parrish, who owns and operates an ornamental iron business on College Ave., N. E., was admitted to Grady Hospital. His condition is fair.

Virtually the entire DeKalb County police department immediately began search for the Negro. Bloodhounds were used in the search.

DeKalb County Police Capt. Harry B. Christian said that three other Negro occupants of the truck were lodged in the DeKalb County jail. The Negroes were not identified.

Beating Victim Slowly Regains Consciousness

Thirty-six year old Josephine Johnson, who has been listed as being critical condition since her nude, savagely beaten body was discovered in a truck last Wednesday in a lot on Piedmont Ave., was improving Tuesday and believed nearing the time when she will be able to relate what happened to her.

Dt. O. W. Jordan said the woman's face was still swollen but she had regained consciousness. She remained in a state of semi-consciousness for three days after her brutal whipping, police said.

Jordan said that both of the woman jaws had been broken and her head about three times its natural size, when she was found. Unable to find evidence of what had taken place, police learned her name by tracing her finger prints.

Beaten Woman In Coma Third Straight Day

The 36-year-old woman, whose nude and battered body was found Wednesday in a Piedmont Avenue trucking lot, remained unconscious for the third straight day Friday, Det. W. S. Acree said.

The woman has been identified tentatively as Mrs. Josephine Jones but little else has been learned about her. Acree said that she suffered fractures of both jaws and would probably be unable to talk even if she revived.

Her head is swollen to about three times its normal size, from brutally inflicted blows, the detectives related Friday. Most of the blows were apparently directed against her head, but Grady doctors are forced to keep her strapped to her bed for safe keeping.

Acree said they were unable so far to locate anyone who knows the woman or what happened to her. No one has turned in a missing persons report of a woman that might be her, he said.

Mrs. Johnson's body was found early Wednesday, packed into a truck on the lot on Piedmont Avenue, N. E. All of her clothing had been taken from her brutally battered body, police said. It was not known whether she suffered from exposure or simply the beating.

Atlanta Tightens Up On Weapon Carriers

ATLANTA — That a man with a deadly weapon is more likely to commit acts of violence than an unarmed man is the accepted opinion of Judge Luther Alverson, recently installed in Fulton County. The judge sentenced Elliot Smith to twelve months in prison on charges of carrying concealed weapons. The judge commented:

"Records show there were ninety-four homicides in Atlanta last year and of these ninety— one were Negro kilings.

"We, in the South, hae made a mistake in treating too lightlythe crimes committed under these conditions.

"You and others coming before me on charge of carrying concealed weapons, such as pistols and knives, will receive the maximum penalty. Then perhaps you will learn to settle your arguments, with your fists instead of using pistols and knives. Then we will have bruises--not murders."

2 Slayings Add To Blot On City During Weekend

Violence, awesome and sweeping as an onrushing hurricane, rained down on Atlanta over the week-end, snuffing out the lives of two persons and maiming at least twenty-five in aggravated assaults.

Homicide detevtices identified the dead persons as Cleveland Davis, Jr., 536 1-2 Decautr St., and Ernest Hutchins, 196 Ollie St., N. W.

Davis was killed Saturday in a stabbing fray on Decatur street, police said. Hutchins died at Grady hospital Sunday afternoon.

A post-mortem examination is scheduled today to determine the exact causes of Hutchins' death. Theodore Parlor is being held in connection with the death, police said.

"Sudden agner" was listed as the motive in sixeen of the aggravated assaults. Jealously accounted for two, domestic trouble for one, hate for another and three were listed as unknown.

Among those injured over the weekend was William Smith, 42, 698 Garibaldi St. He told police that Edgar Kendricks, 419 Berkie St., attacked him when he attempted to collect the rent.

Nab Chicago Policy King In Crap Game

A one-time Chicago policy king who last year told the Kefauver Crime Committee in Chicago he was involved in a six million dollar policy racket was arrested by police Friday night for conducting a $45 dice game.

The gambling squad from the police commissioner's office arrested Theodore Roe, 53, in the basement of an apartment building with 33 men and one woman. Roe posted $100 bond.

Last June 18, Roe admitted slaying Leonard Caifano, 42, in what the former policy king said was an attempt to kidnap or assassinate him in his car. Roe was charged with murder but the case was dismissed Aug. 20.

Try 3 Millionaire Policy Ex-Bosses

CHICAGO (NNPA) — Three reputed South Side millionaire policy bosses went on trial in Cook County Criminal Court, last Thursday, on charges of conspiracy to violate the gambling laws of Illinois.

The trial of Edward P. Jones, who is now a resident of Mexico; Theodore Roe, and Clifford Davis got as far as the selection of a jury and the opening statement by the State. Introduction of evidence Wilbert F. Crowley.

The indictment of the three men followed the appearances of Jones and Roe before the Kefauver Senate Crime Investigating Committee, when the two policy bosses told all about their operations, but denied police payoffs.

To Bare Huge Profits

Assistant State's Attorney Joseph Attwell told the jury last Thursday that the State will prove that the three defendants made millions of dollars out of the operation of the Maine, Idaho and Ohio policy wheel.

As a part of the conspiracy, he proposed to show that the writers retained 25 per cent of their collections and that the remainder was sent to policy headquarters.

According to Attwell, funds from the policy wheel operated by the three men were deposited at the South Parkway Safety Deposit Company and later transferred to the policy wheel account at the Drovers National Bank.

Maintained 75 Employees

Attwell said a special Jones-Roe account was kept at the Drexel National Bank, out of which some 75 employees were paid.

The bill for tons of paper used each year by the syndicate amounted to more than $20,000. Attwell said.

Object to Probe Evidence

He added that the State would show that the drivers who delivered the paper "were met at designated places and then shown how to make their deliveries through alleys to the place to unload."

Defense attorneys waived their opening statement but made known their intention to object to the introduce of any testimony given before the Kefauver Senate Crime Investigating Committee.

Both Jones and Roe talked freely before the committee during the Chicago hearings.

Sen. Estes Kefauver, whom State's Attorney John S. Boyle hoped to persuade to testify at the trial of the three policy operators, declined to do so.

Senator Kefauver, who has announced his candidacy for the Democratic Presidential nomination, informed Boyle that "Since I did not testify in the trials of Costello and others, and in view of my pressing program, I think it best that you go to trial without me."

Judge Sides With Jones Brothers

CHICAGO—(NNPA)—The State suffered a serious blow last Friday in its case against Edward Jones, Theodore Roe and Clifford Jones, South Side operators, on charges of conspiracy to violate the gambling laws when the testimony of a public accountant was barred.

Judge Wilbert F. Crowley ruled that the accountant, Alfred H. Doty, who prepared the income tax returns of the defendants, did not have to testify. The State wanted him to testify as to the financial manipulations of the three policy operators in carrying on their business.

The State was so taken back by the ruling of Judge Crowley that the prosecution asked for immediate adjournment of the jury trial until Monday so as to have time to reconsider their case.

Testimony Barred

Judge Crowley upheld the contention of the defendants and Doty that his testimony was privileged because of the confidential relationship between him and the defendants in preparing their tax returns.

Defense attorneys based their contention on the provision in state law that "a public accountant shall not be required by any court to divulge information obtained by him in his confidential capacity as a public accountant."

Doty was one of the chief witnesses on whose testimony the State obtained indictment from the grand jury against the three defendants. At that time, he was an unwilling witness, having claimed his testimony was privileged.

The then chief justice, Frank M. Padden, ruled Doty could not refuse to testify and ordered him to answer questions before the grand jury.

State On The Spot

Judge Crowley's ruling left the state in the awkward position of having offered for identification numerous financial records of the defendants in their policy operations but without a witness to connect them directly with the defendants.

Assistant State's Attorneys John Schaffenegger and Jose Attwell asked for the adjournment. Asked out of court what he intended to do, Schaffengegger said: "I don't know. We'll have to see what we can find over the week-end."

Charge Roe, Jones, Davis Made Millions

As the gambling conspiracy trial of Edward Jones, Theodore Roe and Clifford Davis got underway here last week, attorneys for the state vowed to prove that the three Southside policy bosses took in millions of dollars a year in the racket.



Clif Davis

The trial got underway in Criminal court, last Thursday, with the selection of a jury. Judge Wilbert Crowley is presiding.

State's Attorney Joseph Attwell told the jury that the accused policy operators operated the Maine Idaho and Ohio wheel and used tons of paper annually, at a cost of $20,000 a year.

Attwell charged also that the men maintained a safety deposit box at the South Parkway Safety Deposit Co., and hired Brinks' Inc., armored trucks to haul money to the Drovers National Bank.

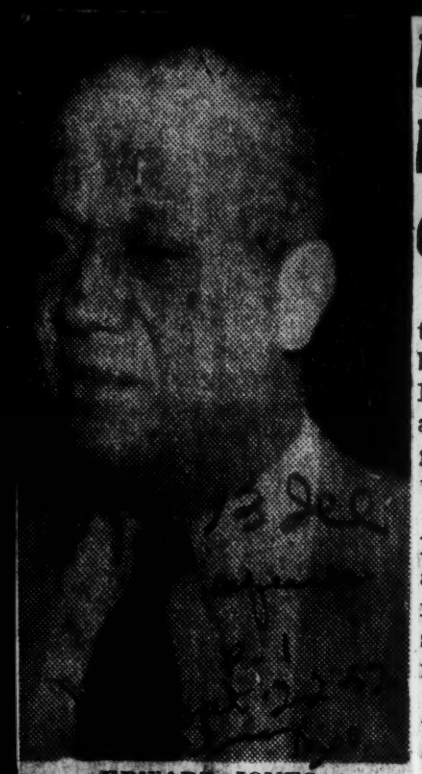
Defense attorneys said they would object to any introduction of evidence brought out before the Kefauver senate crime investigating committee.

Jones and Roe appeared as witnesses before the committee at its Chicago session.

State's Atty. John Boyle said he hoped to pursuade Sen. Kefauver to testify for the state in the trial. Kefauver was due in Chicago last weekend on other business.

Kefauver informed Boyle in a telegram last week that 'Since I did not testify in the trials of Costello and others, and in view of my pressing program, I think it best that you go to trial without me."

Kefauver is a candidate for the Democratic nomination for president.



EDWARD JONES



THEODORE ROE

CALLED KINGPINS in Chicago's multi-million dollar policy racket, Edward Jones, Theodore Roe and Clifford Davis are on trial in the Windy City charged with conspiracy to violate the city's gambling codes. See complete story, page 3.

Psychiatrist Faces Gun and Calms Patient

An enraged patient shot an intern three times yesterday in Albert Merrit Billings hospital, 950 E. 59th st., and was seized after a psychiatrist faced the patient's gun and kept him talking for more than 10 minutes.

The bullets wounded Dr. John B. Sawyer Jr., 26, in the shoulder, arm, and back. Dr. Sawyer was reported in good condition after surgery to remove the bullets from his body.

The patient, Bernard Cross, 26, Negro, of 6635 Langley av., an employe of the Empire Table company, told police he fired at Dr. Sawyer in anger because the intern could not arrange for his immediate treatment for syphilis.

Demands Immediate Treatment

The shooting occurred in the second floor emergency clinic to which Dr. Sawyer is assigned. The intern had interviewed Cross in an examining room. Cross demanded he be given a 72 hour treatment starting at once.

Dr. Sawyer telephoned the dermatology department and was unable to arrange an immediate appointment. He told Cross he would have to return today.

Cross drew a .32 caliber revolver, ordered Dr. Sawyer outside, and followed him. As they walked thru a corridor, where 40 persons were waiting, Cross fired the first shot, striking the intern in the right shoulder.

"Now I'm the one who needs treatment," Dr. Sawyer remarked.

Nurses and Patients Flee

Nurses and patients fled to safety. Cross shot Sawyer two more times and walked away.

The shots were heard by Dr. Bryant M. Wedge, psychiatry instructor in the University of Chicago medical school, of which the hospital is a part. He was in a nearby office.

Dr. Wedge went into the corridor and encountered Cross, who was still holding the gun.

"What's your trouble?" the psychiatrist inquired. He persuaded Cross to enter a small office.

There, with the gun pointed waveringly in his direction, Dr. Wedge talked to Cross for 10 minutes, encouraging him to decribe his symptoms. Cross warmed to the subject, began gesticulating, and put the gun in his pocket.

Seized By Campus Police

Cross was seized by Bruno Yurgaites and Albert Eidson, of the university's campus police, and turned over to a Hyde Park police squad.

"I got his interest by being sympathetic," Dr. Wedge explained. "He told me he was tired of being pushed around by doctors. He had been in the urology clinic which had sent him to Dr. Sawyer."

Dr. Wedge said his diagnosis after talking with Cross was that he was a paranoid psychotic—the victim of a persecution complex with violent tendencies.

Cross told police he had been afflicted with syphilis for 10 years. He was held to await the outcome of Dr. Sawyer's wounds.



Dr. Sawyer [left] and Cross

Capone Mob Seizes Jones Boys' Empire

CHICAGO — The muscling-in of various gangs on the rich policy wheels of this city left without colored overlordship since the slaying of Theodore Roe, 52, last August, continues, it was learned here last week.

The Guzik - Capone mob has taken over the South side wheel that—once owned by the Jones brothers and Roe—was doing a $3,650,000 business a year, Police Lt. John Golden revealed.

Golden, head of the homicide squad, said he learned about the mob moving in on the wheel's operators after the arrest of the general manager, Fred Washington, 33, of 3034 Indiana ave., and Art Naylor, 45, bookkeeper for the wheel.

Washington, according to Golden, said he had been kidnaped twice by two men during the last month and taken to a Loop building, where he was questioned by a third man.

He was allowed to leave, Washington said, after telling the third man about the wheel's operation and its take.

It was disclosed that the wheel grossed $10,000 a day, earned $10,000 weekly in profit and paid $8,862 in weekly salaries.

Offered $300 A Week

When he was questioned the second time, Washington told Golden, the man offered to increase his salary from $175 to $300 a week and give him a cut of the profits to "work for us."

Washington said his former employer, Quincy Stevens, 509 E. 60th st., left town last Tuesday because of "poor health." Golden said he learned, however, that Stevens had been threatened.

The Jones brothers, Edward P. and George P., who had built up the fabulous policy business until it was operating four wheels, left town for Mexico over two years ago, leaving Roe, 52, to handle the business for them, after one of them was kidnaped.

Roe Not Intimidated

An attempt was made to kidnap Roe on June 8, 1951, but he foiled this with quick shooting, killing one of the five gangsters who waylaid him, Leonard (Fat Lenny) Califano,

It was felt that Roe's own assassination in August was motivated not only by revenge for killing Califano, but also by the attempt of the syndicate headed by Tony Acardo and Sam (Mooney) Gianciana to take over the Jones-Roe business.

After Roe's slaying, Clifford Davis, a lieutenant, gave in to the syndicate.

All Independents Quit

All of the big independents, the Jones brothers, the Benuvenuti brothers, Caesar, Leo and Julius, and "Big Jim" Martin had "voluntarily" retired from the numbers game.

Others dropper out after being shot at or kidnaped. The minor operators gave in to the syndicate by co-operating with it or by making "A deal" with it.

The wheels once operated by the Jones brothers were called Idaho-Maine, Delta-Indo-Alco, Yacht-Rex and Harlen-Bronx-Rio Grande.

13 1952

Kentucky

Mill Worker Accuses Pair Of 'Burning'

BOWLING GREEN, Ky. — Joe Simmons, 39-year-old feed mill worker, who was severly burned six weeks ago, was carried into court last week to testify against two white workers accused of soaking him with gasoline and then setting fire to him "just for fun."

The two men, James Chaffin and James Cherry were said to have grabbed Simmons, soaked his trouser legs, and then held a cigarette lighter to them. They told police that they were only having fun.

Simmons has been hospitalized since. He said that there was nothing to provoke the incident. Cherry and Chaffin were held for the grand jury.

Was She Railroaded?

Co-ed Jailed, Fined $50!

NEW ORLEANS—Even though her alleged victim—Miss Joyce Schnauder, a white woman—denied that she had been asked to commit prostitution, Louisiana sent Miss Clara Slush, 19-year-old Negro co-ed, to jail for ninety days after convicting her of "conspiracy to commit prostitution" with the white woman as the victim.

Remanding Miss Slush to Parish Prison on Feb. 28 to serve the ninety days, the court also ordered her to pay a $50 fine or serve an additional thirty days in jail. The Louisiana State Supreme Court upheld the conviction and sentence handed down by Criminal District Court against the young college student.

Miss Slush was tried before Judge Fred W. Oser on a charge of "conspiracy to commit prostitution," April 25, 1951. She and Lloyd Dupre, 2610 Havana Street, had been arrested Aug. 10, 1950, on the alleged complaint of Miss Joyce Schnauder, white, 3102 Palmyra Street.

Following the arrests, the complainant alleged that she had been telephoned by Miss Slush and invited to meet her at Canal and Broad Streets for the purpose of attending an interracial party.

* * *

AT THE time of the incident, the two girls were employed directly across the street from each other—Miss Slush at the Good Citizens Drug Store, and Miss Schnauder at the Auto-Lec Store, both on Felicity and Dryades Streets.

On the witness stand, Miss Schnauder testified she had never seen the Slush girl before the night of the arrest and that she did not know where the Good Citizens' Drugstore was located.

She testified further that she had been telephoned several times by a person who identified herself as "Clara" and who invited her to go to a "club meeting," but that she contacted the District Attorney's office for advice.

During the trial it was brought out that the complainant had been advised to telephone Miss Slush and say she would keep the appointment. It was further brought out that Detectives Myron Weysham, 2256 North Villere Street, and Charles Werling, 3323 Baudin Street, of the New Orleans Police Department, brought her as far as Esplanade and Broad Streets and trailed her.

Miss Schnauder allegedly met Miss Slush at the appointed time and both boarded a Canal Belt car, with the former sitting in front of the screen and the latter herself in the section reserved for Negroes.

After transferring to a St. Bernard bus, getting off in the downtown section and going to a drugstore, Miss Slush was arrested by detectives who said she was introducing the white woman to Dupre and was attempting to persuade her to enter an automobile.

* * *

MISS SLUSH denied the charge placed against her. She and Dupre were charged with "pandering," however, the count against Dupre was dropped for lack of evidence Nov. 22, 1951.

Throughout the trial, Miss Schnauder denied that anyone had asked her to commit prostitution, insisted that she would not have kept the appointment had not the detectives urged her to do so, and told of some person named "Julia," who Miss Slush allegedly introduced over the telephone.

She testified that "Julia," whom she never saw, told her she could earn in a few minutes "enough money to buy a new automobile."

Defense Attorney Earl J. Amedee reserved bills of exceptions in the trial charging double jeopardy and that the evidence produced did not prove the state's case.

His services were dropped, however, and Atty. Edward C. Gillin presented the appeal. Meanwhile, the defendant was freed on $1,500 bond.

The Appellate Court upheld the lower court Dec. 4 and affirmed the sentence. A rehearing was granted Dec. 11, 1951, and the judgment and sentence was reaffirmed Jan. 29, 1952. Two days later, writs were filed with the Supreme Court which denied them Feb. 21.



MISS CLARA SLUSH
. . . railroaded to jail?

Alert Attorney

A rather unusual case was reported from Louisiana last week which chagrined New Orleans city police no end.

Attorney Eugene Stanley, when retained by Leroy Campbell to defend the latter in stabbing of his business partner, Stanley immediately had Campbell placed in the Parish prison before city police could question him. When asked why he did it, Stanley declared, "I always protect my clients, white or black." He said if the police had arrested Campbell, he would have been subjected to possible torture in an effort by the police to gain a confession.

Too frequently do we hear of a prisoner or suspect being willingly handed over to ruthless law officers or to mobs of citizens who deny certain privileges to which the suspect is entitled. In this case, Attorney Stanley, who apparently was familiar with the tactics of the New Orleans police, did what he could to avert unlawful punishment of his client.

Of course, Campbell was finally released to the police on order of Judge William J. O'Hara who charged prison officials with contempt of court for failing to release Campbell when police first sought him. However, we can't but help commend Campbell's lawyer for attempting to avert violence being done to his client which was probable because he is a Negro.

Shoots Roofer For Picking Up Pecans On Lot

A 27-year-old roofer was shot down by a white property owner, the father of a New Orleans policeman here early Tuesday morning while picking up pecans off the latter's ground on Old Gentilly highway near a tourist court.

The victim was Morris Bethley, 1218 Ursuline, who told relatives that he begged 57-year-old Jack Cochrane, 5713 Old Gentilly, not to shoot him and offered to give him the pecans.

Early Wednesday morning Bethley's condition was described as "fair" while confined to Charity Hospital.

The victim stated he and his helper, Morris Joseph, 27, 318 N. Prieur, both who work for a sheet metal company, had come to work early and saw the pecans laying on a lot owned by Cochrane. The pecans were not on the trees.

While waiting to go to work, Bethley decided to pick up a few without permission of the owner. There was not a "no trespassing" sign on the lot.

Joseph said that he saw Cochrane come out of the house with a gun and he walked down the road. Later he heard two shots.

Bethley told his sister, Mrs. B. M. Carter, 2845 LaSalle, that when he saw Cochrane coming toward him with the gun, he went toward Cochrane, offering him the pecans and asking him not to shoot. Cochrane claimed that Bethley advanced on him, and he fired one shot.

The victim ducked behind a bush and Cochrane fired again and hit Bethley. The bullet penetrated his hand, struck the right chest and collapsed the lung.

Authorities investigating the shooting stated that the victim did not even have a pen knife.

Bethley told his sister, Mrs. Carter, that Cochrane helped him to his porch and put a blanket over him. Then went inside to call his attorney. Cochrane was released pending the investigation.

The case was being turned over to Asst. Dist. Raoul Sere for consultation.

Colored Operators Chief Numbers Probe Targets

Afro American Sat. 3-1-52 P.22

By LOUIS LAUTIER
(For NNPA)

WASHINGTON

Since the first announcement of names of witnesses to be called before the Senate District of Columbia crime investigating subcommittee, there has been apprehension that the inquiry was aimed chiefly at a group of colored persons engaged in the operation of the numbers game.

Subsequent events have shown that this suspicion was justified. The preponderating mass of evidence, gathered by investigators for the committee, pointed to violations of the numbers law by colored persons. A majority of the witnesses called before the committee to testify were colored underworld characters.

There would be no valid objection to this procedure if it reflected a true picture of crime conditions in Washington. But it is not a true picture. To my personal knowledge, for nearly 30 years white men have controlled both bookmaking and the numbers game here. They have even run crap houses for colored crapshooters in colored neighborhoods.

Procedure Disappointing

A Senate committee inquiring into crime and related problems is expected to conduct its investigation on a high plane, treating alike all persons who fall under its scrutiny. But that has not been true to date of the Senate District of Columbia crime investigating committee.

Procedures of this commtteie are of great concern, as are the procedures of other Congressional investigating committees, not only to persons who may have violated the law with impunity, but also to persons of unquestioned integrity and standing throughout the country.

When Maj. Robert J. Barrett, retired chief of police, refused to testify before the committee unless he was not televised, all lights cameras, microphones and recording devices were cut off. But when Roger J. Simkins, an ex-numbers operator, sought to assert the same rights, Sen. Matthew M. Neely of West Virginia, committee chairman, overruled his objections.

Hayes's Argument Sound

It appears that the argument of George E. C. Hayes, attorney for Simkins, was sound when he contended that no distinctions ought to be made between witnesses. The whole question of a code of procedure to govern the conduct of Congressional committees is bound up with the question of civil rights.

The New York State Bar Association has overwhelmingly adopted resolutions calling for such a code. These resolutions would prohibit all photographs, moving pictures, television or radio broadcasting while a witness is testifying.

$14,571 Numbers Raids Jail Five

Afro American P. 1
Baltimore Md
Dat. 3-15-52

Police Uncover Big Haul, Proving Game Is Not Dead

13 Md

BALTIMORE

Evidence that the numbers game is far from dead was given here Friday as vice squad detectives confiscated $14,571 in cash and hundreds of numbers slips in simultaneous raids on a swank Druid Hill Ave. residence, a pool hall and a delicatessen store frequented by many of the town's well-known sportsmen.

Released on bail totaling $12,500 are:

EUGENE HOUGH, 41, 2400 block Druid Hill Ave.; Mrs. HILDA HOUGH, 35, of the same address; MRS. LOUISE HOWARD, 26, 400 block N. Monroe St.; MISS DOROTHY ELAM, 18, 1500 block Smallwood St., and LADDIE MILLS, 49, 1700 McCulloh St.

'Songbird' Warbled

A "songbird" is believed responsible for the raids.

According to detectives, the tip came from a numbers writer arrested in Southwest Baltimore on Feb. 27, who told the State's Attorney's office who was backing him.

The raids, which took place shortly before 3 p.m., were conducted by Sgt. Maurice Gorman, heading a Southwestern District plainclothes squad; Sgt. Joseph M. Heagerty, heading the Northwestern squad; and Sgt. Robert Hewes of the State's Attorney's office.

Sgt. Vincent Gavin, also of the State's Attorney's office, helped plan the raids.

Delicatessen Raided

Sergeant Gorman, at a hearing at Northwestern police court, Saturday, said his squad found Mrs. Howard and Miss Elam, waitresses, and Mills, a longshoreman, behind the counter of McCulloh Delicatessen, and Mrs. Hough in a back room.

He said Officer Charles Gross noticed Miss Elam go from behind the counter down into the cellar and come up again. Officer Gross then went down and found a paper bag containing the number death of another co-ed, Mary system.

An unlocked cabinet, within four feet of the bag, contained more than $400, the officers said.

The three women and Mills were arrested.

$13,000 in Home

At the Druid Hill Ave. house, Hough was arrested and $13,000 was discovered.

The raid on the poolroom in the 1300 block of Pennsylvania Ave. yielded nothing to indicate numbers operations were carried on, police said.

Officers also said they found $549 on Hough, $460 on Mills and $162 on Mrs. Hough.

Husband's Slips

Sergeant Gorman told Magistrate F. Everett Lane that Mrs. Hough revealed that the lottery slips belonged to her husband.

Police implicated the waitresses because Miss Elam entered the cellar shortly before the numbers slips were found.

Mrs. Howard never left from behind the counter, Officer Gross admitted. He said also that he did not see Miss Elam carry anything down into the cellar or bring anything back.

'Any Tongue?'

Mrs. Hough testified that Miss Elam went to search for some tongue that a customer had ordered. Four or five patrons were being waited on while the raid was being conducted, she said.

Mrs. Hough said the waitress came to her and asked:

"Is there any tongue?"

"I don't know," Mrs. Hough said she answered, "go downstairs and see."

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Police said they had not been able to tell the amount of play, but considered the delicatessen store a headquarters for between 25 to 28 numbers stations.

Magistrate Lane ordered the five held for court on $2,500 bail each.

Most Gambling Dead

All over the country, gambling and numbers playing has been reported reduced or completely eliminated since a Federal gambling tax law went into effect in 1951.

The tax, which went into effect in November, requires gamblers to register their names, residences and places of business, and the names and residences of all persons who accept bets for them or for whom they accept bets.

Such registration, however brought a crackdown on registered gamblers by State and local authorities, thus tending to kill the numbers, policy and book rackets.

Girl Admits She 'Passed' To Be With Tan Lover

Vet, White Wife Get Harsh Terms On Check Charge

BALTIMORE

Two flaming stories of interracial love, courtship and marriage were brought to a startling climax Thursday, as Judge Joseph Sherbow sentenced a mixed married couple and an 18-year-old white girl to prison terms in a series of bad check cases.

Sobbing pitifully, brown-haired Mrs. Alice Mae Johnson who fell in love with, and married a colored soldier two years ago, clutched their 15-month-old baby girl to her bosom as guards led her away to serve a one-year sentence. The husband, William Johnson was sentenced to three years. Mrs. Johnson expects another child.

Lived As "Colored"

With them was sentenced stormy, auburn-haired Rusty Dorsey who for the past year, renounced her race and posed as a "colored" girl, living with young Jimmy Dorsey whom she hopes some day to marry. Rusty also was sentenced to one year in Women's Prison.

"Never in all my experience have I seen anything quite as mixed up as this," declared Judge Joseph Sherbow as he sentenced the trio.

He pointed to medical and social reports that had been submitted to him in connection with the three.

They revealed that Rusty, a native Baltimorean, fell in love with young Dorsey in the spring of 1951, changed her name from Arlene Givner to Rusty Dorsey, and took up residence with the 20-year-old man in an apartment in the 700 block Whitmore Ave.

The young girl told Dr. Manfred Guttmacher, court psychiatrist, "I started being friendly with colored boys when I was 14. I had a colored maid when I was a baby. She sort of took the place of my mother.

"I always looked up to colored people and respected them .. I don't enjoy myself with white fellows. I am bored."

The young woman was said to have expressed the desire to have colored blood in her veins, and the hope that she and young Dorsey may some day be married.

Calls Her "Negress"

Said Dr. Guttmacher, "Her living as a negress is the ultimate in the rejection of her irresponsible, psychopathic father, and her harsh, rejecting mother."

The girl is the product of a broken home.

The psychiatrist said further, "If their (Rusty and Jimmy) romantic feelings survive the period of incarceration, marriage in some other state would be as logical a method (of solution) as any."

Met In California

The Johnsons, both 22, met two years ago when he was a soldier stationed in San Francisco, Cal. They lived in Baltimore with his sister in the 2500 block Lafayette Ave.

Mrs. Johnson revealed that she was fired from several jobs in Baltimore when employers learned the nature of her marriage. She was a telephone operator when they were arrested on charges of passing bad checks on drug stores in white neighborhoods.

Their curly-haired baby girl was brought to court by a relative. Mrs. Johnson originally is from Portland, Oregon, and her husband is a native Baltimorean.

Objects To Suspicion

Robert Watts, who represented the mixed couple with Milton Allen, attorney, complained to Judge Sherbow that the probation report on Mrs. Johnson was filled with "innuendos and suspicions."

Judge Sherbow answered that he was not influenced by these reports other than by their general impression.

$20 Checks Passed

It was learned that young Dorsey is a cement finisher who has returned to the home of his parents since Rusty's arrest. He too was quoted as saying that he and Rusty hoped some day to marry.

The three defendants were involved in a bad check ring which operated by one's placing a telephone order to a drug store and asking that change for $20 be brought along with the delivery.

When the delivery boy would drive up, a woman would meet him in front of the house, and accept the merchandise and change for a $20 check which later bounced.

Rusty pleaded guilty to four such charges, and Johnson to seven. Mrs. John pleaded innocent, but was convicted in two cases.

In the cases of both women, Judge Sherbow imposed indeterminate sentences which will allow their release before one year on the recommendation of prison authorities. The husband was sentenced to the House of Correction.

Jury Convicts Jean Noel In 12 Minutes

Former Student At Morgan Faces Jail In Lottery Case

BALTIMORE

A mixed jury of eight men and 4 women took only 12 minutes, Oct. 8, to convict attractive Jean Noel, 22-year-old former Morgan State College student, for violating the lottery laws.

Defense counsel for the modishly attired Cortez Peters school graduate immediately announced they would file motions for a new trial.

Judge E. Paul Mason reserved sentencing Miss Noel pending the filing of the motions. Miss Noel was later released after making new bail of $5,000.



JEAN NOEL

Courtroom Is Filled

The trial of Miss Noel took up all the morning and nearly all the afternoon in Criminal Court before a filled courtoom.

Nine character witnesses, all women, took the stand for Miss Noel. Two of them, Mrs. Jeanette Carrington and Mrs. Daisy King, are wives of Methodist ministers.

The trial was the result of a raid on May 9 on a luxuriously appointed apartment at 2416 W. Lexington st.

The raid, led by Lieutenant Joseph Byrne of the Vice Squad turned up $1,200 in cash and numbers tapes indicating $76,518 in numbers play.

Accused Of Possession

Miss Noel was not accused of operating a lottery. Asst. State's Attorney Julius A. Romano argued only on the last two counts of the indictment which charges her with possession. The jury found her guilty on both counts. The maximum sentence under such a conviction is one year in jail and a $1,000 fine.

Miss Noel denied any knowledge of the slips when she testified. She denied ever being engaged in lottery and said she knows "nothing about numbers."

The $1,200 which was found in $100 bills in a dresser drawer, she said, had been placed there by her brother. She said the money was for purchase of a house.

Brother In Army

The brother, Jackie Alphonso Noel, she said is in the army, stationed in Arizona.

Miss Noel, under questioning by her counsel, Joseph Rosenthal and Josiah F. Henry Jr. disclosed that she is employed at the Bullock Mortuary, an undertaking establishment in Havre De Grace, Md.

Speaking softly but clearly, the young woman said that she was at home alone the evening of the raid.

Lt. Byrnes had testified that the raid took place around 6 p.m. and said he had to break in a first floor door before he and his men could reach Miss Noel's apartment on the second floor.

'Catch That Man'

Miss Noel testified that the first thing she knew of the raid was when she heard "someone running up the steps and shouting 'catch that man'."

Both Lt. Byrnes and Officer Rudolph Wilkins testified that all the clothing found in the apartment was women's apparel. The state also placed in evidence a telephone bill which showed Miss Noel was the occupant of the apartment.

Miss Noel claimed that she and her brother obtained the apartment together but she is there alone since he is in the army.

Lt. Byrnes also said that the windows in the apartment were heavily screened and barred.

For Her Protection

The youthful-looking defendant explained that the windows were barred for her protection since she is away all day and alone at night.

Leading the parade of defense witnesses was Mrs. Eunice Robbins, 2500 block Madison ave. Wife of a soldier now stationed in Germany, Mrs. Robbins said that she had some of her husband's clothing at Miss Noel's apartment because of lack of closet space in her own home.

Both Lt. Byrnes and Officer Wilkins denied seeing any men's clothing in the apartment.

Another defense witness was Mrs. Doris Williams, 800 block W. Lexington st., attractive cousin of Miss Noel.

Both Had Keys

Both Mrs. Williams and Mrs. Robbins had keys to Miss Noel's apartment at one time, it was testified.

Other character witnesses were Mrs. Cleo B. Haney, 2400 block W. Lexington st. Mrs. Charlotte Bennett, 2300 block Ruskin ave.; Mrs. Jeanette Carrington, 2300 block McCulloh st.; Mrs. Daisy B. King, 2300 block McCulloh st.; Mrs. Gladys Palmer, 500 block N. Fulton ave.; Mrs. Ruby Sneed, 1600 block N. Payson st., and Beatrice Pead, 1800 block Bentalou st.

Only briefly mentioned at the trial was the Cadillac car with DC licenses which police were seeking following Miss Noel's arrest.

13 1952

Maryland

Whites Chase Man From Md.

Navy Yard Worker Tells Of Wild Ride

Afro-American

WASHINGTON

A Navy Yard employee told the AFRO on Tuesday how he was chased in his car from Brentwood, Md., into the District, Monday night, by three carloads of white men one of whom, he said, threatened to kill him, broke his car window, and twisted his leg.

At times the chase proceeded at the rate of from 85 to 90 miles per hour, declared Wilfred Evans, 42, the Navy Yard employee, who also works as an auto mechanic. Sat. 10-11-52

Unable at first to press charges against his pursuer, Mr. Evans finally obtained the name and address of the man whom, he said, police at Precinct 9 identified as Edward L. Kramer of the 500 block of LeBaum st., se.

Car Swung Across Road

Kramer was charged with simple assault and impersonating an officer of the law Thursday morning after a hearing before Assistant District Attorney Wilbur Sewell. P. 18

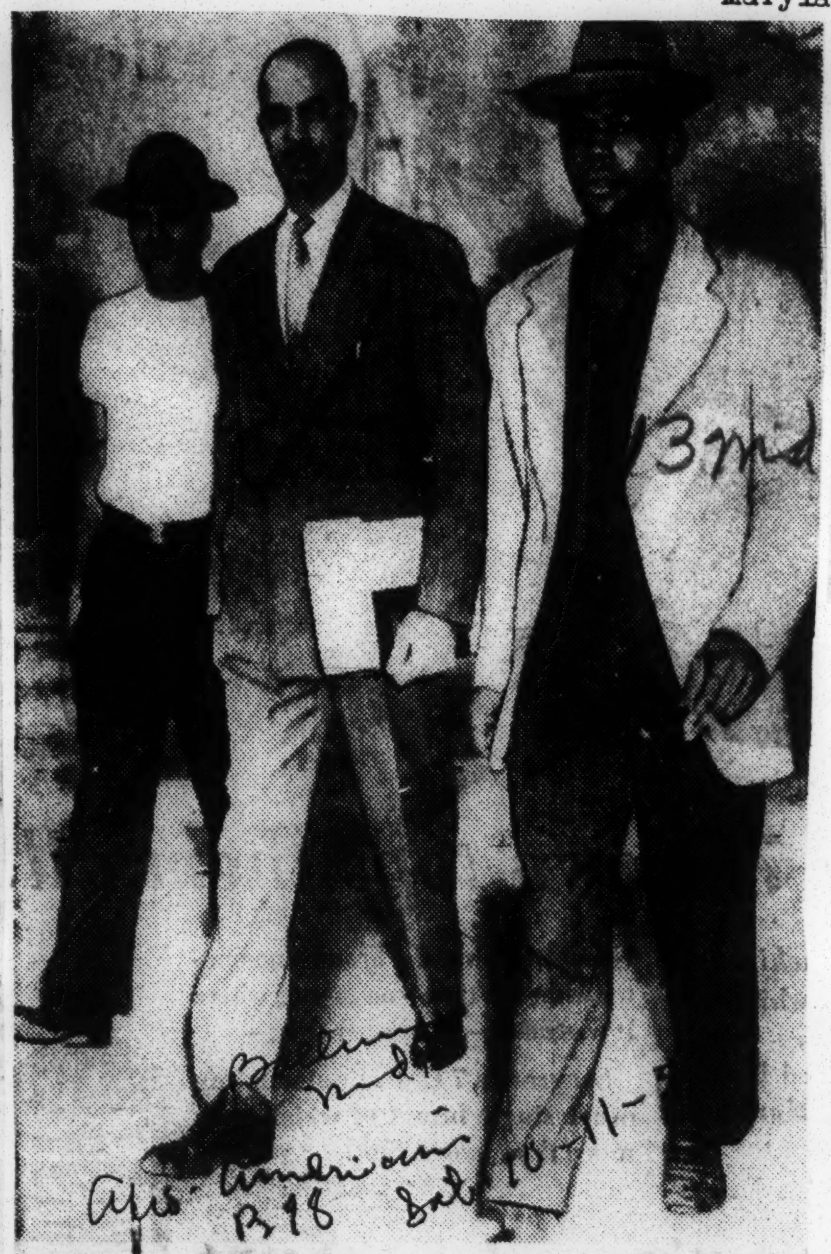
Evans, whose attorney is George B. Parks, was also charged with simple assault. The case will come up before Judge Mary Barlow on Tuesday. 13 Md

Father of eight children and a member of Rosedale Baptist Church, Mr. Evans resides in the 2600 block of Nichols ave., se, and has lived in the District for 21 years.

He told the AFRO that he had finished working on a car in Brentwood about 10 p.m., Monday, and started to drive back to the District, when a black Buick car swung out across the road in

Used Racial Epithet

"A white man was driving it," Mr. Evans related," and he yelled, 'N---r, how do you like that?' I didn't make any answer and kept on my way. Then he swung out across the road in front of me again and said, 'N'--r, don't you like that



Reportedly chased from Brentwood, Md., into the District, Monday night, by three carloads of white men, one of whom allegedly threatened to kill him, Wilfred Evans, 42, enters Municipal Court Thursday for a hearing in the case. Left to right Mr. Evans, George Parks, attorney, and Henry Powell, witness.

"I told him I didn't like it and headed for the District, with him following me and two other cars — one a 1952 Mercury with about six white men in it and the other a 1952 Olds with four white men it it."

During the wild ride, Mr. Evans continued, his chasers crossed island in the highway and shouted, "We're going to kill this N---r."

Twisted And Pulled Leg

Finally, at New York Ave. an Baldensburg Road, he said, he had to stop for a traffic light and the driver of the Buick caught up with him, jumped out of his car, and broke the window of Mr. Evans' car.

The chase then continued to 16th st. and Benning rd., where Mr. Evans said he drove up to a gas station.

It was then, he reported, that the Buick driver jumped out of his car again, opened the door of Mr. Evans' car and grabbed Mr. Evans' leg, which he pulled and twisted as a crowd gathered.

Said He Was FBI Man

"Then I grabbed a bottle and hit him over the head with it," Mr. Evans declared. "But he told the people who had crowded around that he was an FBI man and to let him alone.

"The police came from Precinct 9 and took me to the station-house, but they let the man go to the hospital for treatment before coming to the Precinct. They didn't help me do anything for my leg.

"At the Precinct I tried to get the man's name, because I wanted to bring charges against him, but the officers there just laughed and told me to come to court Tuesday morning.

Didn't Show Up

"I was there Tuesday morning and so was Officer Bernhards, but the other man didn't show up and I still didn't get his name, although I had his license number. It was D 3714."

13 1952

Massachusetts

Williams Student Found Dead With Rifle Nearby In Fraternity House

WILLIAMSTOWN, Mass., Feb. 18 (AP).—Millard Romaine, Jr. 19, of Cincinnati O., a Williams College sophomore, was found dead under unexplained circumstances today—his face blood-smeared and a .22-caliber rifle near at hand—in a college fraternity house.

Police Chief George A. Royal reported late this afternoon that a key ring in the student's pocket had been the means of establishing identification after fellow students failed to recognize Romaine.

State pathologists were called to conduct an autopsy to determine the cause of death. Police said the youth had suffered some kind of facial injury—apparently on the forehead—but did not know its nature—or whether it caused death.

ACCESS TO HOUSE

Romaine did not live in the Beta Theta Pi fraternity house where his body was found, but he was a fraternity member and had access to the house.

The body was discovered by a senior, John M. McMath, of Larchmont, N. Y., who said the body was on a bed in the room when he entered.

Romaine was described as "a brilliant student."

A winter carnival week-end was concluded at Williams yesterday during which Williams men played host to students from five other men's colleges and 500 girl guests.

FATHER IN HOLLAND

The father of the youth, now in Holland on business, is president of the Cincinnati Lathe and Tool Co., and vice president of the Cincinnati Milling Machine Co., world's largest machine tool firm.

Young Romaine was graduated from Walnut Hills High School, Cincinnati, in 1950. He played guard on the school football team and was a standout student.

A sister, Eva Jane, is a senior at Bryn Mawr College.

Sister Names Brother In Rape Charge

DETROIT—A 29-year-old married man, Wilbert Driver, was charged with statutory rape late last week following disclosure of a romance between him and his 16-year-old sister, Cherry.

Disclosure of relations between the two came April 4 in a letter written to Driver's wife by Cherry after she had been evicted from the home of her brother.

The girl came here a year ago from Cordova, Ga., to live with her brother during the pregnancy of his wife, Thelma. She said the romance between them started when Driver took her to Belle Isle, an amusement park, "to teach her how to kiss." She claimed they had relations "two or three times a week."

Driver admitted to police his guilt, but claimed she tempted him too much. On one occasion he said, Cherry made advances to him while he was saying his prayers.

2 Men Convicted In 'Love' Robbery

DETROIT—Cleve Gilmore, 34, who reportedly blackmailed a white church secretary out of $25,000, and Edgar Wells, ex-house of Correction guard who allegedly helped him stage a fake holdup, were convicted of conspiracy ty an all-white jury Thursday.

The jury of 12 white women deliberated only an hour and 15 minutes before bringing in its verdict of guilty of larceny and conspiracy, each of which carry a five-year minimum sentence. Both are slated to be sentenced Feb 21.

According to the secretary, Miss Doris Keller, who escaped prosecution by turning State's evidence, she stole thousands of Bethlehem Temple Church funds and gave them to Gilmore, her lover, and that he got $9,300 in the holdup that he talked her into permitting him to stage.

Under threat of his exposing their love affair, the secretary said, she gave Gilmore as much as $800 a month, in addition to the cash obtained in the holdup. Wells was accused of aiding Gilmore in staging the robbery, a job for which he allegedly was paid $700 by Gilmore.

Asked To Plan Holdup

According to Miss Keller, Gilmore first asked her about planning the fake holdup in April, 1950, but she refused. In December of the same year, she said, Gilmore told her "I want you to let me take hold of the money in the office."

After repeated demands by Gilmore, the church secretary said, she agreed to the fake robbery and they planned for and executed it March 29, 1951, on the day off for her co-worker in the business office of the church.

In addition to the $9,300 he obtained in the holdup, Miss Keller said, she gave Gilmore approximatley $15,000. It was her job, she said, to handle and count all of the church's funds, so the money was not missed over the many months because it was not counted and recorded.

Gilmore Already In Prion

Gilmore was brought here from Terre Haute, Ind., where he was serving a two-year term for white slavery, to face a preliminary examination last December. Wells, who is alleged to have pulled the fake holdup for Gilmore, denied the charge, saying he was "framed."

—Trial of the two men, after a two - day run, had attracted more attention than any other case in the history of Recorders Court. Among spectators in the overflow crowds attending the sessions is Gilmore' white wife, Henrietta.

Hours Friday before the court curtains rose on the interracial love drama, hundreds of members of the church stood outside the doors of Judge O. Z. Ide courtroom waiting to be admitted.

A few minutes after the courtroom doors opened at 9:30 a.m. every seat and all standing room was occupied and scores were turned away.

Jury Of 12 White Women

Selection of a jury of 12 women —all white—to hear the case took up almost two hours. When Gilmore and Wells were led to the defense table by court officers, the faces of both men expressed emotional upset.

Gilmore wore a grey tweed suit, dark shirt without a tie and black suede shoes. His eyes were shielded by glasses. Wells was dressed in a light grey suit, white shirt, a blue mixed tie and black suede shoes.

Both men sat almost motionless, looking into space, as their attorneys clashed with the prosecutor.

Pastor Testifies

When Bishop Samuel Hancock [illegible] Bethlehem Temple Church, took the stand, he told the court that he was attending a church convention in Columbia, Tenn., on the date of the "fake robbery" and that Miss Keller immediately called him long distance and told him about the $8,900 theft.

Bishop Hancock said officials of the church, including himself, became suspicious of Miss Keller after a certain amount of money disappeared from the church's safe, and she could not give an account of it. He said only she knew the combination of the safe.

The Rev. Evious Jackson, the assistant pastor, told the court he arrived at the church's office shortly after the fake robbery and found Miss Keller bound and gagged.

Under cross-examination by Gilmore's attorney, Al Summers, Mr. Jackson said that Miss Keller was a good thief and did a good job of lying. The court roared with laughter.

Siter Defends Brother

Silence swept over the courtroom when Mrs. Louise Vinson, 1958 E. Fort, sister of Gilmore, was called to the witness stand.

She testified that Miss Keller's basement apartment at 1644 W. Euclid, was lavishly furnished, including an expensive television set, refrigerator and an expensive wardrobe, $45 and $85 dresses and a lot of shoes and hats.

Mrs. Vinson stated further that Miss Keller played the race horses herself, adding that she and her brother took out-of-town trips. Mrs. Vinson said she accompanied Miss Keller and Gilmore to New York City to attend the Robinson Turpin fight and Miss Keller paid a" of the expenses.

Lawyer Denounces Press

The press was given a lashing Monday by Summers, who motioned for a mistrial in the behalf of Gilmore on grounds that news stories carried Friday and Saturday by two of the dailies may prejudice the mind of the jury.

He said the papers stated that Gilmore is serving a Federal sentence in Terre Haute, Ind., in a white slavery charge, adding the charges may be true, but the newspapers had no right to dig up Gilmore's past record. The court denied the motion.

Summers then advised Judge Ide to instruct the jury not to read the newspapers during the life of the trial. Judge Ide complied with the request.

Deacon Tells Of "Traps"

Deacon Jettie Ellison of 17467 Orleans, told the court how the officers of the church set "cash traps" for Miss Keller after they became suspicious of the manner in which she was handling the church's money. He said she was immediately caught in the traps.

Ellison said members of Bethlehem Temple must live clean lives.

He said after rumors reached the church that Miss Keller was having an affair with Gilmore, who was a married man, several of the deacons, including himself, covered Miss Keller's home one night and found Gilmore's car parked there.

They spent most of the night watching the home and Gilmore never came out to go to his own home, Ellison declared.

Home Lavishly Furnished

Deacon Ellison said they next visited Gilmore's Chicago Boulevard home and found it lavishly furnished and above the common class. He said that the committee was then convinced that money from the church had been used.

He said Miss Keller's apartment was visited by the group to furnish the home.

the same night. They found her home very common. Th deacon said she was using a boiler room for a kitchen, adding: "It was a miserable place for anyone to live."

He said several times during 1950 and 1951, Miss Keller had black eyes.

When Mrs. Vinson was called to the stand again, Monday, her testimony discounted that Miss Keller gave her brother money to make the down payment on his swanky Chicago Boulevard home.

"Won $5,000 On Numbers"

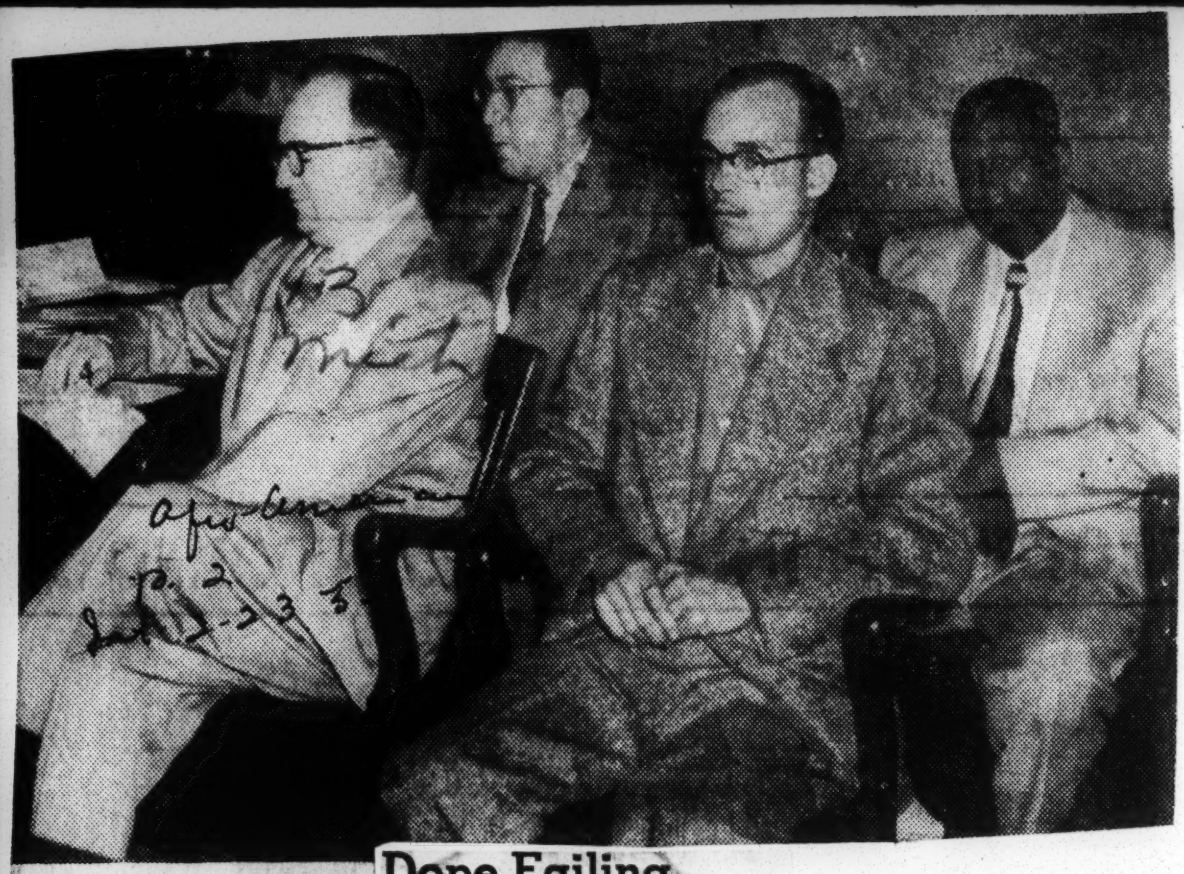
"On April 4, 1951," said Mrs. Vinson, "My brother won $5,000 on the numbers. He had $10 on the winning number I know he won the money because the pick-up man gave me the money to give him."

Assistant Prosecutor William T. Patrick Jr. and attorney for Gilmore, clashed on numerous occasions during the cross - examination. The battle of words became more heated when Summer attempted to prove that Miss Keller was sleeping with Gilmore after he married.

Members of Bethlehem Temple Church have been classified by court officials as the most orderly group ever to enter the courtroom Despite the large number attending the trial each day, barely a whisper could be heard during the sessions.



Miss Doris Keller, 22, of Detroit, ex - secretary of Bethlehem Church, who was State witness in the trial of Golmore and Wells. She confessed being in love with Gilmore and pretending to be robbed.



Cleve Gilmore and Egar Wells, former Detroit House of Correction guard, who both figured in the sensational fake $8,900 robChurch, Detroit, were convicted of larceny and conspiracy. Gilmore, reputed lover of the white ex-secretary of the church who pretended to be robbed, is shown at right with his attorney, Al Summers. Seated back of Gilmore is Wells, to whom Gilmore allegedly paid $700 to perform the robbery.

Dope Failing In Detroit

By ISAAC JONES

DETROIT — (ANP) — Policemen who should know say that narcotics are extremely hard to buy in Detroit and many addicts are learning the city, the Mayor's committee for rehabilitation of narcotics addicts was told last week.

Inspector Russell J. McCarty, head of the police narcotics bureau, said the flow of narcotics into Detroit is now a trickle and of low quantity.

He said the narcotics now are only about 3 per cent pure while at one time it ran as high as 7 per cent.

"One addict the other day," said Inspector McCarty, "said that if the drugs contained any more sugar he is going to get dibetes."

He said that in February, 145 dope suspects were arrested with 15 indicted in the state courts and 11 in the federal court.

Violation calls for a penalty of $500 or 90 days or both.

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AUTHORITIES BARGAINING WITH MICHIGAN CONVICTS



Associated Press Wirephoto

Earl Ward, left, shaking hands with Assistant Deputy Warden Vernon B. Fox after the rioting inmates and the officials concluded an agreement by radio calling for the return of two prisoners to Cell Block 15 in return for the release of hostage Guard Thomas A. Elliot, shown at left behind Ward. One of the riot leaders. "Crazy Jack" Hyatt, is standing behind Dr. Fox.

'Victory Dinner' Served as Part of Capitulation Price; Reforms Pledged

JACKSON, Mich., April 24 (U.P.).—A five-day mutiny at Southern Michigan Prison ended today when 171 convicts surrendered their cell block fortress and eight unharmed hostage guards in return for an 11-point reform program and a steak dinner.

One by one the prisoners backed out of Cell Block 15, threw their weapons on the ground and marched to the dining hall 50 feet away for their "victory feast," which was part of their price for safety of the guards.

The surrender came 16 hours after Gov. G. Mennen Williams bowed to the prisoners' reform demands to end the worst riot in the history of the world's largest walled prison.

Guards Follow Convicts Out

Eight pale, unshaven guards of the original 11 captured by the riotous convicts Sunday night and Monday followed all the prisoners but ringleader Carl Ward and his lieutenant, "Crazy Jack" Hyatt, out of the cell block.

A tearful but joyous reunion of the hostages and their families took place as the last of the prisoners sat down in the prison dining room under the machine-guns of 30 guards inside and a ring of State police outside.

One prisoner was killed, 10 wounded and one State trooper injured when guards and State police used blazing guns to sweep 2600 rioters back into their cells Monday. But no attempt was made to quell the mutineers who threatened to kill their hostages in Cell Block 15 if troopers rushed the building.

The surrender was arranged by Deputy Warden Vernon Fox and dWard, 28-year-old insane criminal, just a few minutes after one of the convicts was shoved out of the cell block with a cut throat. Joseph Henderson, 25, Detroit, was believed to have slit his own throat as tension mounted over the capitulation.

As Warren Julian Frisbie, other prison officials, guards and State police stood on the sidelines. Prisoners began backing out of the cell block at 4 p. m. They tossed knives and other weapons in a pile and submitted to a shakedown by a committee of fellow convicts.

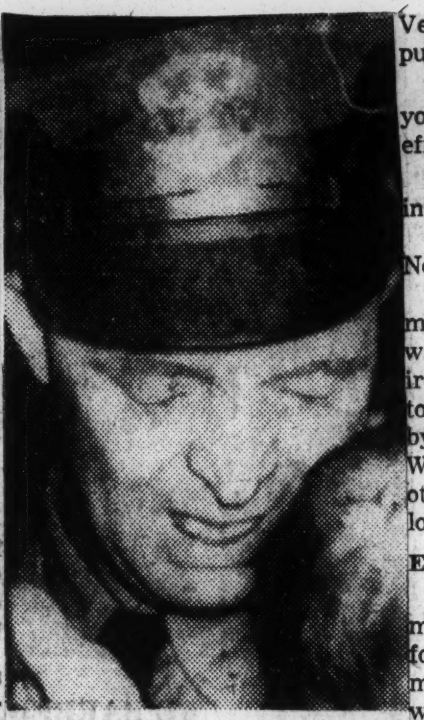
May Face County Charges

One of the main points of the 11 points for peace demanded by the prisoners was that no reprisals by State authorities would be made against the rioters.

Jackson County authorities pointed out, however, that prisoners found guilty of criminal assault during the rioting could be tried by the county courts.

Guards who entered the avacuated cell block while the prisoners were at dinner found a blood-stained ball-peen hammer wrapped in a white towel which they said would be searched for fingerprints. Several badly beaten and slashed prisoners who were termed "stool pigeons" were tossed out of the cell block at various times during the five-day seige.

George Campbell said he will consider bringing criminal assault charges against ringleaders of the riot, "now that it is over and the guards are safe." He said possible action may be started against both Hyatt and Ward.



Associated Press Wirephot

FREED HOSTAGE WEEPS

Guard George Brown

Michigan Convict Prisoners Surrender

By FORLER MASSNICK

JACKSON, Mich., April 24—(INS)—The 167 Jackson prison mutineers, whose rioting killed one inmate, injured a score of others and caused $2,500,000 damage, surrendered today and arrogantly paraded to a steak dinner.

The dinner, with ice cream and all the trimmings, was won along with a promise of no reprisals and better treatment, through the bargaining power of eight hostage guards who were released unharmed.

For the men who on Sunday night touched off the bloody five-day riot in the world's largest prison there was not a hint of punishment.

"WON EVERY POINT"

Rather, shortly before the capitulation of the die-hards in Detention Block 15, Deputy Warden Vernon Fox announced over the public address system:

"You have won every point of your demands and most will be in effect immediately.

"This may presage a new era in the history of American prisons.

"Congratulations to you men in No. 15 block!"

Earl Ward, the self-styled master-mind of the insurrection, was the first to step out of the iron door. He tossed a long knife to the ground and was "frisked" by five other inmates while Warden Julian N. Frisbie and other members of the prison staff looked on.

EACH MAN SEARCHED

Other rebels followed. Their makeshift attempts at "fixing up" for dinner was apparent. Each man backed out of the door and was in turn searched.

With armed prison guards lining the way, the mutineers proceeded to the near-by mess hall where the hearty meal was waiting for them.

Haggard and unshaven the eight captive guards who had spent a harrowing ordeal with the rioters, many of them criminally insane,

were taken to the administration building where they were greeted by their tearfully joyous families.

Behind the truce lay complete approval of the insurgents' demands by Gov. G. Mennen Williams, Warden Frisbie and Commissioner of Corrections Ernest Brooks.

SATISFIED WITH PUBLICITY

The end came with dramatic suddenness when Ward told a newspaperman he was satisfied with the surrender terms and publicity the inmates had received.

He told Frisbie to "put the steaks on the fire" that had been promised as part of truce terms.

Originally, the peace contract called for the freeing of the hostages at dawn tomorrow, but Ward —impressed by publicity given the rioters' demands in newspapers— told a Detroit Times reporter early this afternoon they would give up at 4 p. m. today. He said:

"The men are shaving and cleaning up.

"The inmates have been told to gather their weapons, which will be left in a pile at the door of the cell block as they pass out.

"It's a ticklish situation. Some of the men still want to take a crack at the guards."

"HEADS WILL ROLL"

Ward grimly added that "heads will roll, from the warden's on down, if the officials violate their agreement."

Shortly before the warden's announcement, guards were called to Block 15 and carried out 25-year-old Joseph Henderson, his throat slit with a knife.

Officials said it was an apparent suicide attempt, and that Henderson would recover.

The mutiny broke out Sunday night among the Block 15 detention inmates and at one time Monday involved 2,600 other convicts out of more than 6,300 in the world's largest prison.

The toll stands at one inmate dead, a score of prisoners and police hurt and $2,500,000 damage through fire and vandalism.

Key to the revolt was a list of 11 demands for better treatment and no reprisals.

Ward, a convicted car thief with a flare for power and publicity, signed the truce terms at an early-morning conference today.

However, he demanded to see copies of newspapers that published the agreement.

The Detroit Times flew in editions of all three city dailies and the capitulation followed.

Sister Tells Details Of Romance With Brother

DETROIT (ANP) — A secret love affair between a 29-year-old man and his 16-year-old sister was exposed last week when the brother was charged with criminal attack on the complaint of his sister.

Wilbert Driver was charged with criminal assault in a warrant signed by Recorder's Judge Paul E. Kraus.

Cherry Driver of Cardova, Ala., told police that her brother paved the way for the "family romance" in July, 1950, shortly after she arrived in the city from Alabama.

Made Love In Park

She said Driver drove her to Belle Isle and while they were seated in the grass, he said, "I am going to teach you how to love." She said after smothering her with kisses, her brother made other advances, which she resisted.

Miss Driver said she came here because her brother's wife, Thelma, was expecting a child and she was to aid in the home.

Miss Driver said the romance between her brother and herself began in the latter part of March, 1951. She said the acts occurred two to three times a week while she was living in her brother's home after Mrs. Driver would leave the house for work.

Affair Kept Secret

The girl said her brother threatened to send her back to Alabama if she told anyone about their love affair. She said the last act occurred March 24, 1952.

The girl said that on April 2, her brother and sister-in-law told her to "get out unless you can behave yourself."

Miss Driver said she left the home and spent several nights with friends. On April 4, police said, Miss Driver returned to the home of her brother and exposed their love affair in a letter to her sister-in-law.

The officers said when the brother was questioned at police headquarters, he admitted having relations with his sister. They quoted him as saying, "after all, a man can stand only so much when it comes to sex."

Driver accused his sister of making love to him in the kitchen of their home at various times while his wife would be in bed. He said she wrote him notes almost daily, expressing her love for him.

Indicted Club Woman Denies Defrauding U. S.

DETROIT — Mrs. Rosa L. Gragg, nationally known clubwoman and educator, indicted last week on charges of having defrauded the government of between $13,000 and $25,000, declared Saturday it was never her intention to hold any funds that rightfully belong to the government.

Named in the 13-count indictment with Mrs. Gragg, was the Salde-Gragg Academy of Practical Arts, of which she is president. The Academy teaches tailoring, upholstering, sign painting, shoe repairing and millinery.

The charges grew out of a two and a half year investigation of the school in connection with payments made by the Veterans Administration for the education of approximately 300 students studying under the GI bill.

Named along with Mrs. Gragg were her brother, James O. Slade, secretary of the school and her sister, Mrs. Annye Buffington, who served as secretary.

The school incorporated as a non-profit corporation in 1948 paid Mrs. Gragg an annual salary of $8,500.

If convicted Mrs. Gragg could be sentenced to five years in federal penitentiary and fined $10,000.

According to Kenneth W. Smith, assistant district attorney, Mrs. Gragg and the school submitted false costs analysis statements to the government on Jan. 21 and April 18, 1949, to justify a rate paid the school as tuition by the Veterans Administration for the education of the GI students.

He said the VA stopped making payments to the school in 1950.

Smith said the school at one time employed 24 part and full-time instructors and that Mrs. Gragg submitted false statements as to the work and salaries of these instructors.

So voluminous was the evidence gathered by the government during its investigation that three weeks were spent presenting the case to the grand jury. The period involved in the investigation covered July 1, 1947, to Dec. 31, 1949.

The indictment of Mrs. Gragg came as a blow to persons knowing her throughout the country.

A native of Hampton, Ga., and the daughter of a Methodist minister, she was educated at Morris Brown college, University of Michigan, Wayne university and Tuskegee institute.

She taught in the South before coming to Detroit 26 years ago. Since then she has enjoyed unusual success. One-time member of the City Welfare commission, she is also a former president of the Detroit Association of Women's clubs.

During the war she opened the city's first Civilian Defense office and later was appointed to the national advisory council for the Office of Civilian Defense by the late President Roosevelt.

In her denial of the charges, Mrs. Gragg placed blame on her accountants.

"I signed the cost analysis statements," she admitted, but explained that "I did not read them at the time I signed them. I relied upon the professional ability and the advice of those who prepared them" she declared.

Mrs. Gragg said it was never her intention to hold any money which rightfully belonged to the government.

"If it is determined that as a result of any incorrect information furnished in the cost analysis statements any overpayment has been made by the government to the school, it will be my desire that any amount of overpayment be returned to the government." she said.

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Mississippi

Negro Tells Court Three White Men Took His $500 On Promise Of 3-1 Return

Hobson Jones, middle-aged Jackson white man and one of a trio indicted for a "three-for-one counterfeit money bargain" with two Negroes in front of a Jackson hotel last June, is being tried in Hinds circuit court on charges of grand larceny.

L. C. Lipscomb, 29-year-old Negro from Port Gibson, testified in court Monday that Jones was a member of the trio that allegedly took $50 from he and his (Lipscomb's) father-in-law, Jacke Carlton, Utica Negro grocer.

Lipscomb said that he gave Jones the money after the white man had approached him in front of the Robert E. Lee hotel, on June 25, 1952.

"He promised to get me three dollars for one," Lipscomb stated. The other two white men who have been identified with the trio are Robert Conn, Belzoni and Carl Matthews, Utica.

Matthews in the presence of policemen, detectives, and other officials said that "the real money was to be used to purchase counterfeit money at the ratio of three for one."

Late Tuesday morning, attorneys for Jones, made a motion in the absence of the jury that the charge against Jones be changed to getting money under false pretenses rather than grand larceny. The motion was over-ruled by Judge M. M. McGowan.

Chief of Detectives M. B. Pierce stated from the witness stand when questioned by District Attorney Julian Alexander that Jones had been

Gov. and Mrs. White are en route safely to Pascagoula this morning where Mrs. White will sponsor the launching of a new type navy vessel at the Ingalls Shipbuilding Yards.

Negroes Arrested After Driving Too Close to Mrs. White

Col. T. B. Birdsong said today three Negroes had been arrested "somewhere in the vicinity of Columbia in Marion county last Sunday afternoon on Highway 20" when the car one of them was driving almost sideswiped that of Mrs. Hugh White.

Names of the Negroes or the jail in which they were confined was not determined as Col. Birdsong said his report of the incident had not been received in detail.

He said that the two vehicles did not strike each other, but, were pretty close to each other. Marion County Sheriff J. V. Polk said he had no report on the incident.

Assaults Officers Who Attempt To Arrest Pal

JACKSON, Miss. — Evidence of the growing resentment toward white police officers patrolling beats in the Negro districts of the city blared violently open here last Friday as a Negro crashed a quart beer bottle into the face of an officer who attempted to arrest a friend in a Farish street cafe.

Jimmy Harper, who threw the bottle, said when questioned as to motive "he just didn't want to see his friends go to jail."

In the past few weeks, during which a concentrated effort on the part of both responsible white and Negro citizens to have Negroes added to the force has apparently failed, there has been a strong undercurrent of resentment against white officers seen in Negro districts.

Harper was fined $250 and sentenced to 90 days in a trial held Monday.

Officer E. J. Ainsworth, the victim, received several cuts about the face, but was treated at a local hospital and released in time to appear at the trial.

FBI MAY EB CALLED ON PASTOR'S BEATING

Civil Rights Violation Is Seen By Panola Sheriff

WARRANTS OUT FOR PAIR

By GEORGE HARMON
Staff Correspondent

BATESVILLE, Miss., Dec. 28.—Federal authorities will be asked to investigate the Christmas Eve beating of a Panola County Baptist minister by two men who ordered him to leave his pastorate within 30 days.

Sheriff Ross Darby said Sunday he thought the civil rights of the Rev. Sammie P. Crawford, 43, and his family may have been violated when they were ordered to leave the community.

Attacked At Home

The Rev. Mr. Crawford was attacked in the living room of his home near the Pilgrim's Rest Baptist Church where he is pator. The community is 17 miles southeast of here in a sparsely settled corner of Panola County.

The minister is recovering at Baptist Hospital in Memphis. A leg, broken in an auto accident in which the Rev. Mr. Crawford was involved several weeks ago, was rebroken by the attackers.

Mrs. Crawford Sunday did not express any serious concern over the "orders" that they leave Pilgrim's Rest.

"We haven't left yet. You can't let the devil run your business," she said.

Mrs. Crawford said the men knocked on the door of the Crawford home near midnight Christmas Eve and began beating and kicking the minister when he answered their knock.

Threatened To Kill Him

"We had just gone to bed after opening some Christmas presents when they came to the house. They grabbed my husband and said they were going to kill him. I was screaming and praying and trying to pull Sammie away from them. Our four children were screaming in their bedrooms."

"The men left after three or four minutes when someone in a car in front of the house honked the car horn. That's how I know there were three men involved although I only saw two," she said.

Sheriff Darby issued warrants Friday for the arrest of the two men Mrs. Crawford was able to identify. The men were reported to be former residents of Pilgrim's Rest now living in Memphis.

The sheriff said Sunday he is still investigating, but declined to name the suspects. He said he contacted Memphis police Sunday and is planning to consult the Federal Bureau of Investigation.

Pilgrim's Rest Baptist Church is the political as well as religious center of Beat Four of Panola County. The area has no large towns, no railroads and only one small strip of paved road.

Split Over Politics

Political differences have split the congregation of the church for many years, one of the deacons said Sunday.

An attempt to oust the Rev. Mr. Crawford from the pastorate failed early this fall at a business meeting attended by nearly 100 members of the congregation of 125.

The Rev. Mr. Crawford was retained as minister by a vote of 67 to 5 after many of his opponents left the meeting before the vote was taken.

The Rev. Mr. Crawford came to Pilgrim's Rest 13 months ago. He formerly was pastor at Crystal Springs and Hazlehurst.

The Rev. David Pratt of Pope, Miss., a ministerial student at Mississippi State Colleeg at Clinton, conducted services at the little church Sunday. About half of the congregation was present.

Civil Rights Seen Violated In Attack On Upstate Citizen

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Sheriff Ross Darby said yesterday he thought the civil rights of the Rev. Sammie P. Crawford, 43, may have been violated when his attackers told him to clear out of the house honked the car horn."

Sheriff Darby issued warrants for the arrest of the two men whom Mrs. Crawford was able to identify. He said he planned to consult with FBI officials to determine whether Crawford's civil rights had been violated.

The beaten pastor said he thought the "devil-possessed" members of his congregation may have hired the two men to beat him up.

Two White Men Fined For Assault On Negro Driver

Two Raleigh white men, J. E. Runnels and Earl Craft, paid fines for simple assault before Justice of the Peace J. B. Bell here as the result of an altercation following a wreck with a Negro on Highway 51 south of Jackson on New Year's eve.

Hinds county sheriff's deputies said the men told them that they ran into the rear of a car driven by James McDuffie, Negro, out on bond awaiting trial for the tire tool death of his pregnant wife.

The men, according to officers, said there were no lights on the rear of the vehicle. Officers stated the white men assaulted McDuffie because he argued with them. Officers said McDuffie was beaten with a tire tool.

The Negro was released after treatment at a Hazlehurst hospital.

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Mississippi farmer's conviction in kidnap of Negro woman upheld

JACKSON, Miss., Feb. 5 — (AP) — A young white farmer convicted of kidnaping a Negro woman from a Warren County store-yard on New Year's Eve, 1950, lost an appeal to the State Supreme Court yesterday.

The woman wandered dazed and half naked, into a farmyard early on New Year's Day. She told officers she had been kidnaped and raped.

The farmer, Lonnie B. Bevel, and John B. Stuard who was with him on a New Year's Eve hunting trip, were arrested and indicted on both charges.

A Warren County jury found them innocent of the rape accusation. Bevel later was convicted of kidnaping and sentenced to 10 years in state prison.

* * *

IN ITS ACTION today the court overruled Bevel's attack on the indictment under which he was convicted. Bevel claimed it also charged an assault and that the trial judge should have dismissed it because including the assault charges showed duplicity by the Grand Jury.

Justice Julian Alexander quoted the law under which the indictment was returned and said:

"It is not duplicitous merely because the means of carrying out the crime charged involves as an element that which would constitute a crime."

The indictment said Bevel struck his captive over the head with a pistol shortly after forcing her into his truck and taking her into the woods.

BLOOD-SMEARED BODY OF NEGRO, 16, FOUND IN ICE BOX AT KOSCIUSKO

KOSCIUSKO (Special) — The blood-smeared body of a 16-year-old Negro was found inside an old model overturned refrigerator here Thursday and Sheriff John Poole of Attala county said he was investigating the possibility of foul play.

The Negro, whom the sheriff said apparently died of suffocation, was identified by him as Junior Griffin.

The sheriff said that Grifin was unable to get out of the box because it was turned over on the side where the door was.

Poole said he was making the investigation in the case because the body was smeared with blood. He said he has asked an autopsy to determine whether the Negro might have been beaten before the body was stuffed into the refrigerator.

J. R. Grantham, white operator of the refrigerator company where Griffin was employed and where the box in which the body was found was located, made the discovery Thursday morning and notified authorities, Poole said, when he found the box, outside the building, turned over.

The boy had been dead over eight hours, a medical examination revealed, and the sheriff said the blood found on him could have been caused when he attempted to force his way out of the trap. He had been last seen about 1:30 p. m. Wednesday.

ever the sheriff points out that young Griffin could have hurt himself in attempting to escape after the door accidentally shut.

The youth worked at the refrigeration service and was last seen Wednesday afternoon at 1:30. It is believed he had been dead eight hours when found.

NEGRO BOY FOUND DEAD

Body In Refrigerator Spurs Check By Sheriff

KOSCISKO, Miss., Feb. 28.— Attala County officials are investigating the death of a 16-year-old Negro boy who was found suffocated in an overturned refrigerator.

The blood-smeared body of Junior Griffin was found by J. R. Grantham when he went to work Thursday morning at his refrigeration service firm in Kosciusko. The refrigerator was one of several old models which had been placed outside the building. Grantham investigated when he noticed the unit overturned.

Sheriff Johnnie Poole is seeking to determine whether the boy was a victim of foul play. An autopsy was to be performed to reveal if he had been beaten before being stuffed in the refrigerator. How-

Permits Judges To Suspend Terms Of First Offenders

By JOHN HERBERS

The Senate voted Monday to permit judges to put first offenders on probation rather than send them to prison.

The vote of 33 to 7 on the bitterly opposed plan to give the state's its first adult probation law came at the end of a busy session in which the senators virtually killed the finance committee's $8 million rewrite of the state's sales tax law.

The probation bill was brought to the floor by Sen. Stanton Hall, one of its authors and chairman of the judiciary committee, with recommendations that it would help rehabilitate first offenders and save the state untold thousands of dollars in prison and dependent expenses.

But Sen. E. W. McIntyre, Jr., of Brandon, son of a circuit judge, and Sen. W. B. Lucas of Macon staged a fierce fight to kill it. McIntyre said the courts already have safeguards for keeping people out of prison if they deserve it through the granting of a new trial and passing of the case to the files.

The bill has the backing of the Mississippi Economic Council, and a number of other groups.

"This will not turn criminals loose on the people," said Sen. Earl Evans, a co-author. "The bill was actually written by the judges of Mississippi and endorsed by the council of state judges."

"It is an economic means," he said, "by keeping people who can be rehabilitated on the job. They will be placed under the supervision of the court and can be arrested and placed in prison at any time they violate the probation rules."

The bill is a rewrite of the state's parole act to provide for a parole and probation act under the supervision of a nine-member board to be appointed by the governor.

County and circuit judges would be authorized at their own discretion to put on probation first offenders, excepting those who would be given a life or death sentence after conviction.

The person under probation would be under the careful supervision of a probation officer and would have to follow rules stipulated in the bill.

Hall said the probation act would cost the state about $36,000 but would save many times that amount in prison expenses to the state.

Sen. W. B. Alexander of Boyle said probation would be of more value to the state than parole" because you can save 10 times as many persons who have not been to prison as you can by paroling those who have."

He pointed out that the state's two federal judges regularly placed a large percentage of convicted criminals on probation, letting them go back and support their families and live under the probation rules for a specified period of time.

Earlier, the senators shouted back into committee a rewrite of the state's sales tax laws, designed to bring $8 million in additional revenue by plugging loopholes in the law.

The bill introduced was a result of a tax study committee that worked 15 months to rewrite the law so as to give the state more revenue without actually raising taxes.

But as the bill came out of committee, patched with amendments, it had lost its original identity. The committee split in the middle on almost every amendment, just barely voted it out favorably.

Some of the new clauses added in committee included a two per cent tax on used car sales, additional one percent tax on farm machinery and pasteurized milk, a new tax on electrical coops, power plants, and natural gas sales. It also removed fertilizer from the exempt list.

Sen. Lawrence Adams of Natchez moved to recommit the bill and declared:

"This act affects 40 per cent of the state's revenue and is not the one recommended by the tax study committee. It came out of committee by a very narrow vote. If we send it back to committee it will never come out again, I don't believe."

Committee chairman Evans said: "I would like to see the bill written into law. It is to the advantage of all the people of Mississippi. It does stop the loopholes and puts the sales tax back on an equitable bases. But I would hate to see you take it up in the face of such opposition."

"Never has there been a bill presented to the Legislature that had more study and work on it than this."

Sen. Wills Mathes of Magee showed the Senate an armload of telegrams urging defeat of the bill.

"I have just felt the pulse of the public pulse," he said.

The Senate also passed four appropriations bills totaling $534,000, including $204,000 for state library commission, $155,000 for a new building and swimming pool at the state school for the deaf and blind, $25,000 for a new gymnasium at Oakley industrial training school and $150,000 for buildings and road improvement at Sardis lake.

White Kidnapper Loses Appeal

BY JAMES B. LAFOURCHE

JACKSON, Miss. — (ANP) — Justice plummeted the line here last week when Lonnie B. Bevel, white farmer convicted for the 1950 New Year's Day kidnaping of a Negro woman, Mrs. Cornelius Slater, lost his appeal to the state supreme court.

Bevel in company with John B. Stuard, both of whom were originally charged with rape, but later acquitted of the crime, were subsequently charged with the kidnaping of the woman, who on New Year's Day, in a dazed condition and half naked, wandered into a farmyard, from where she reported to officers that she had been kidnaped and raped.

A jury found Bevel innocent of rape, but later another jury convicted him of kidnaping. He was sentenced to 10 years in state prison.

The state Supreme Court overruled Bevel's claim that the indictment under which he was convicted, also charged an assault, and that the trial judge should have dismissed it because including the assault charges showed duplicity by the grand jury.

Justice Julian Alexander quoted the law under which the indictment was returned and said:

"It is not duplicitious merely because of the means of carrying out the crime charged involves as an element which would constitute a crime."

The indictment said Bevel hit his victim over the head with a pistol before forcing her into the truck and taking her into the woods.

Negro Attacks Policeman Here With Beer Bottle

A Negro man hurled a quart beer bottle at a Jackson policeman Friday night, smashing the bottle in the officer's face.

Detective Chief M. B. Pierce reported that the Negro said he attacked Patrolman E. J. Ainsworth and urged two Negro prisoners Ainsworth was guarding to "run".

The Negro was identified as Jimmie Harper, 31, of 404 Varnado Alley. He told officers after he was arrested at his home later Friday night that he attacked Ainsworth because "I didn't want to see my friends go to jail."

Harper is in City Jail on a charge of assaulting an officer.

Ainsworth was given emergency treatment at Baptist Hospital for various cuts and bruises about the face. A sliver of glass had to be removed from one of his eyes.

Ainsworth said he and Officer G. C. Clark had arrested two Negroes at a cafe in the 400 block on North Farish street and had walked their prisoners a block south to another cafe where a telephone was located.

Clark went into the cafe to call a patrol wagon for the two prisoners while Ainsworth stood outside guarding them. Harper suddenly walked up and heaved the beer bottle at Ainsworth from point-blank range.

According to witnesses, Harper yelled for the two Negro prisoners to run away from the officers as he threw the bottle. The prisoners refused to run, but Harper made his escape.

Arrested later at his home by Officers A. R. Armour and J. D. Simpson, Harper said he had seen Ainsworth and Clark arrest his friends and had followed them down Farish street until Clark went into the cafe, leaving Ainsworth alone.

SHOOTING TO DEATH OF SECOND NEGRO THIS YEAR IN EDWARDS JAIL SPREADS FEAR OF NEGRO CITIZENS

19-Year-Old Youth Is Second Victim Of Night Watchman

EDWARDS, Miss., Dec. 8 — (DSN) — The Town Watchman here is being charged with terrorizing the Negro community following the shooting to death of a 19-year-old Negro youth in the jail house here last Tuesday night.

The youth shot to death in the jail Tuesday night was Alvain Moss, 19-year-old son of Mrs. Johnnie Harris, who was recently placed in class "A" for military service.

The shooting of the Moss youth is the second Negro during this year who is said to have been shot to death by Town Watchman Cox after being arrested and put in jail. The first victim was Elmore Wattis, a young Negro man arrested by Town Watchman Cox last January and who is said to have been shot to death after being put in jail.

According to reports the shooting to death of the Moss youth Tuesday night followed his arrest by the town night watchman who is reported as saying that he heard him cussing coming down the railroad with a young soldier companion.

The young soldier is reported to have followed the night watchman and the youth to the jail and was an eye witness to the shooting.

The young soldier is reported as saying that the night watchman took out his pistol and deliberately shot the youth through the stomach after placing him in jail.

After the shooting the soldier said that he was ordered by the watchman to go and tell the youth's parents to bring a doctor to the jail before he died.

Sometime after the shooting the youth was rushed to a Vicksburg Hospital where he died the next day.

According to reports Hinds County Sheriff conducted an investigation of the case and was told by night watchman Cox that the gun went off accidently. Sheriff Robinson was reported at his home sick and was not reached for a statement on the case.

The extent of the terror among Negro citizens may be seen in the whispered conversation and whispered answers given to questions regarding incidents involving the town watchman. One aged Negro man, who asked that his name not be mentioned said that the shooting of young Moss had shocked the Negro community and spreaded fear among the people and that the Negroes wanted to do something but being scared they just didn't know what to do.

In keeping the Negro community in a constant state of fear Negro citizens say that the watchman missed killing other Negro men on several occasions since the January shooting simply because of bad aim and because the Negroes outran him and escaped.

He is also charged with the brutal beating of a Negro woman, Charity Johnson, several weeks ago, who he beat into a bloody mass after he charged her with cussing in the presence of a group of white people.

Funeral service for the Moss youth was held at Edwards, Miss., Sunday.

800 'Reefers', Large Quantity Of Heroin Is Confiscated In Raids

Cracking down on the New Orleans dope racket whose overlords went underground less than a year ago with their illicit operations, narcotic agents arrested several persons in two separate raids last week and confiscated nearly 800 marijuana cigarettes and a large quantity of heroin.

Among those arrested were:

LAWRENCE ROBERTS, 31, 7412 Zimple.

MRS. ROSALIE ROBERTS, 25, wife.

ROBERT CORNER, 26, 3653 Constance.

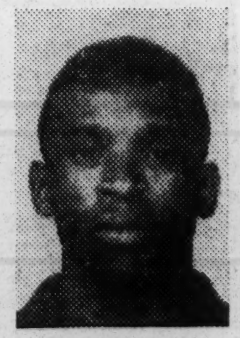
Officers arrested Roberts as he started into his residence.

They said that they had watched Roberts' activities at a bar at Freret and Jackson from 7 o'clock Saturday evening until he left about 2:30 Sunday morning, then they trailed and apprehended him as he got out of a taxicab at the corner and was about to go through an alley.



ROBERTS

Frisking the suspect, officers found 10 cigarettes. They went inside and asked his wife, who is the mother of three children, about marihuana. She told officers in the presence of Roberts who had denied possession of more marihuana in his house, that he had given her a package, but had ordered her not to open it.



CORNER

"I suspected something like this was in it, but I never actually looked," she told officers as she sniffled and dabbed at her eyes.

"I always thought that Lawrence was in some kind of racket, because he kept the house going and hadn't hit a lick of work regularly since last December," she added.

"Friends also told me that he was seen quite a bit around Jackson and Freret with other women, treating them and having a good time, but I never went to see what was going on up there."

Agents reported that they arrested Mrs. Roberts pending an investigation of the marihuana and added that she was a "victim of circumstances."

Before officers pulled off with Roberts and his wife in the patrol wagon, a relative came and took the children. Roberts also gave his wife a "sum of money."

Agents reported information on Roberts three weeks ago. They were told that he was operating in the vicinity of St. Bernard and North Claiborne, but a tip came last week that he was "hanging out" at Freret and Jackson.

Narcotic agents reported that Roberts operated with a well-known taxi driver who was paid off with two marijuana cigarettes instead of cash.

Watching Roberts Saturday night, agents saw him sit first at the bar and then at a table with one or more very 'young women.' They added that he had several persons to meet him on the outside of the establishment after they had come inside and talked in whispers.

Corner's arrest resulted from a tip of a neighbor at the Peniston and Annunciation area. The anonymous caller to police headquarters stated, "there is a bar on the corner here where there are always fights and cuttings. There's a gang that I see stopping and putting something down in the grass and weeds about 20 feet or more from the establishment. I don't know what it is, but I have an idea."

Shortly after the call, agents cruised up near the intersection, stopped and put out their lights. One of several persons grouped on the outside of the bar saw the car and recognized it and ordered the others to disperse themselves. Corner was arrested and booked with possession of 10 cigarettes.

He told officers further that he was the father of seven children and that his wife had just come from the hospital the previous Friday after she had given birth to a child.

Theodore Young, 26, 3710 Magazine; James Carter, 46, 3807 Annunciation and Adolph Young, 18, 3712 Annunciation, were booked pending investigation.

Hospital Aides Held For Dope

4 Women Involved; Dice Players In Net

MORRISTOWN— A young woman and two men, all attendants at Greystone Park State Hospital here, were held in $11,000 bail Monday for the grand jury by Judge Frank Scerbo on narcotics charges following a surprise raid Saturday night at the institution.

They were among six employees two of them juveniles, rounded up during the raid.

While searching the hospital premises for dope, over 20 Morris county detectives and State Police came upon a dice game in the dormitory for male employees. The seven players were arrested on gambling charges.

Woman Ringleader

John D. Collins, county psosecutor, said almost an ounce of heroin and several sticks of marijuana were confiscated in the room of Marie D. Turner, 21, of 210 Waverly Ave., Newark, suspected as the ringleader.

She was held in $5,000 bail on possession charges.

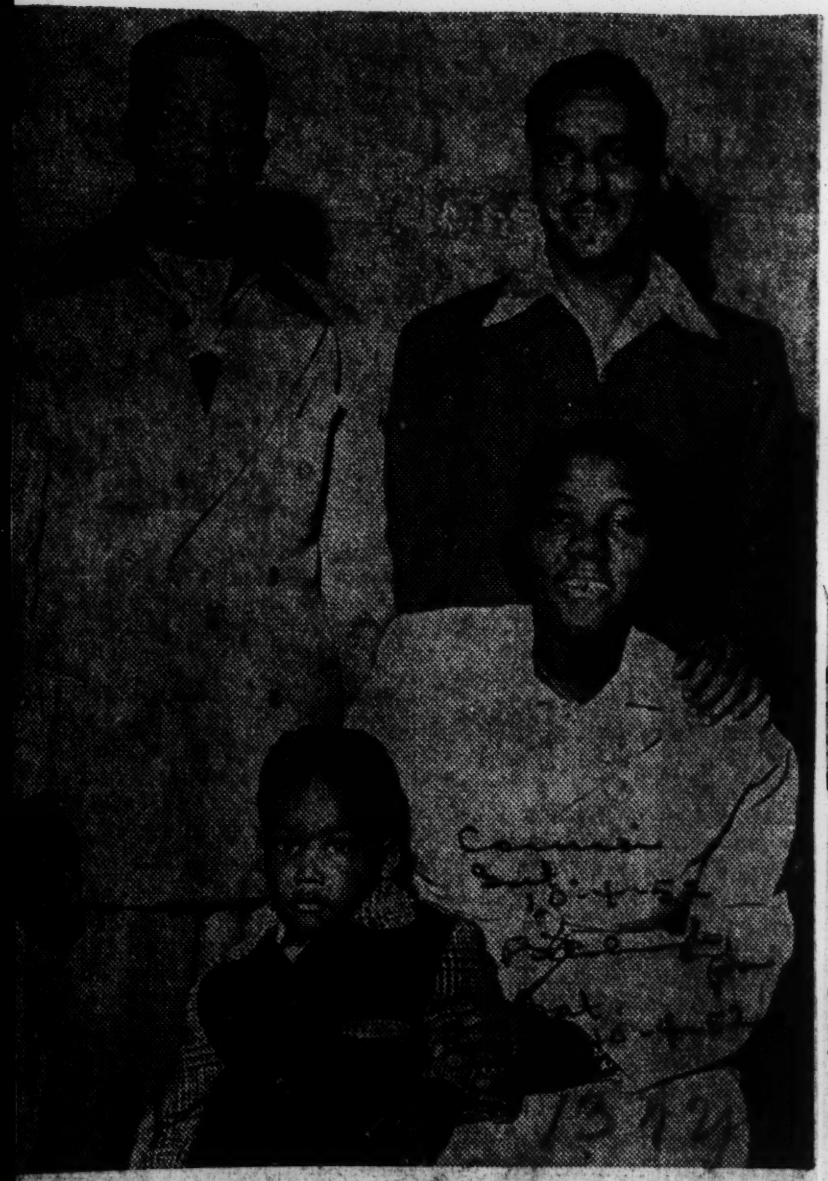
The prosecutor said Miss Turner may have secured the narcotics in New York City.

Miss Edna Mae Richardson, 24, was dismissed after questioning.

The two juveniles, who originally told police they were 21 and 18 years old, were held as users and turned over to juvenile officials.

Held in $3,000 bail each were Frank Griffin, 21, of the Bronx, N.Y., and Richard Hembrick, 21 of NYC, who was accused of "giving narcotics away to attendants."

A supply of marihuana was also found on Griffin by the radiers.



Reunion in Troy—William Claude Jameison, who discarded the alias "James Carroll" after leaving Dannemora Prison, is shown here in reunion with his newly found family in Troy, N. Y. He is standing, left, with son, Ardath. Seated are Mrs. Viola Jameison, Ardath's wife, and [illegible]h Jameison Jr., 2½. — Layne Photo.

After 25 Years

Studies Law In Prison, Frees Self!

By A. C. STERLING
(Special to the Courier)

NEW YORK—Jean Valjean, a Victor Hugo hero in his classic novel, "Les Miserables," served a nineteen-year penal term unjustly. Last week, James Carroll, 56, was released from Dannemora Prison by Judge Louis Goldstein in Kings County Court after serving twenty-five years in prison "unjustly and illegally."

When Carroll went into prison as a fourth offender he could not read or write. He comes out a well-read, literate man who studied law in snatches and by dint of his hand-written petition for a writ of error secured his freedom. Judge Goldstein gave high praise for the clarity and precise legal wording of the document of the former inmate.

* * *

WEARING BAGGY, faded clothing lent to him by fellow-prisoners, Carroll, the modern Jean Valjean, has two aims at this point in his life. One is to locate his divorced wife in order to meet his son, Ardith, so that "I can touch him and speak with him and help him if need be." The other aim is to start life anew with someone in trust and friendship.

In an exclusive interview with the Courier, Carroll, slightly dazed by the fast moving turn of events, in his own soft-spoken manner revealed clearly the capacity of human beings for suffering without ever losing that spark that is hope.

The first time Carroll tangled with the law was at 17 when he teamed up with another boy to steal seltzer bottle tops in New York City. "We'd get about five cents for each top. What with selling deposit bottles and scrap paper I made enough to get my mother a pair of bedroom slippers." She sensed that he had done something wrong, however, and cautioned him to stay on the straight and narrow.

WHEN HE learned that the police were looking for him he hid in an old, abandoned building. "I was arrested there for burglary and remanded to Raymond Street jail."

Convicted and sent to Elmira Reformatory for attempted burglary, Carroll, well versed in legal terminology today, reveals that this was one of the convictions found illegal. "No lawyer represented me nor was I advised of my rights. During this period it used to be the custom of the court to dispense with the formality of arranging counsel."

While at Elmira his mother died. He brooded over the thoughts that she had worked herself to death for him, but the r formatory system didn't have a social worker with whom he could discuss the situation. "All they said was 'Carroll we got a letter that your mother is dead.' No attempt at real sympathy and no questions asked. I learned early at Elmira that the slightest questioning could be, and usually was, interpreted as insolence. The guards were brutal. One of their 'favorite' punishments was to beat you with a taped stick as you bent over." He spent a year and ten months at Elmira.

* * *

"THERE WAS schooling there run by the inmates, but there was never any incentive given for learning. Elmira was similar to Raymond Street in that youngsters were mixed in with men in their thirties."

"When I got out mother was dead, and I was all alone. I worked at odd jobs, running errands, earning about $4 a week. Jobs weren't plentiful for Negro kids. Least of all one without an education. I thought things were picking up when I got a job as a porter in a Negro barber shop in Brooklyn. The pay was supposed to be $6 a week, but invariably my boss would give me two or three dollars promising me the balance. When he owed me about $12 I asked for my back pay. He slapped me and I called a policeman."

The officer suggested Carroll take his boss to court. To a youngster who had just been through a nightmare with the authorities there seemed no rhyme in this reasoning. "I was angry and when the store closed I broke in and just broke bottles of lotion and cold cream and walked off with some toilet articles, out of spite. I was picked up in New Jersey and returned to New York City."

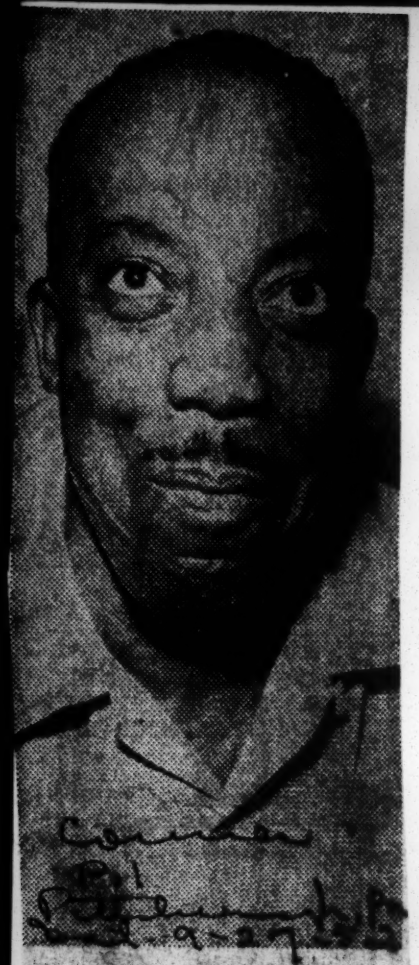
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Courier to Aid Carroll in Search For Son, Ex-Wife

The Courier will make all efforts to locate the family of James Carroll, who was released from prison in New York recently after serving twenty-five years of "illegal" imprisonment.

Carroll expressed the desire to contact his son, Ardith, born of an interracial marriage to the former Helen Burdick. His wife divorced him during his imprisonment.

Anyone knowing the whereabouts of Carroll's wife and son are urged to contact the Courier immediately.



JAMES CARROLL
. . . after twenty-five years

THIS TIME Carroll was indicted as a second offender for third degree burglary. "I pleaded guilty. I never denied any of the charges. They were true and my mother had always instilled in me a sense of truth." The results of his resentment and anger because of the many inner and outer frustrations he was undergoing brought "justice and mercy" from the court. For this escapade, at 19, he was sentenced to three years and six months at hard labor at Sing Sing prison. He was once again not advised of his constitutional rights.

Eventually transferred to Comstock Prison at Great Meadows his mother's teaching him how to cook came in handy. He was assigned to the general mess-hall and was soon promoted to chef in the officers' mess. Two years and four months later he was released; eight months off for good behavior. "It was just in time for me to be drafted into the Infantry in 1917."

It was also about this time that he met his wife, Helen Burdick. "It was an interracial marriage. She was two years younger, a widow with two children. It was a whirlwind courtship. I was very lonely, in my 20's, and I wanted a better life." When the war ended he held temporary jobs. A third child was on its way and he needed work. Weeks ran into months and nerve-wracking pressure of job-hunting continued. Faced with the problem of providing for the family he became desperate. "One day I stole some food out of a delivery bicycle."

* * *

FOR THIS Carroll was sentenced to five years, but when the judge heard the circumstances of the case he suspended sentence. Two years later he was picked up because of disorderly conduct. The "S.S." was revoked and he was sent to Dannemore to serve out the unexpired three years.

In 1927 he was involved in stealing a car and was convicted of first degree grand larceny. It was his fourth offense; a mandatory life sentence followed. "During my imprisonment my wife got a divorce. I felt she was justified in this. She had to provide for the children and had her life to live."

Things seemed to hit rock bottom for Carroll, but after discussing his case with a fellow-inmate he was advised to make proper applications for release on the basis of his first two convictions. "At that time I couldn't even read much less write. But I was determined to get an education and at 28 I began to learn my ABC's. I read history and geography. My favorite subject was creative chemistry, and I still love it."

* * *

HE DECIDED that rather than serve time, time was going to serve him. After twelve years he had a high school degree. "I was intent upon getting the legal background to learn how to write up my petition." He couldn't study law because this was a violation of the prison's regulations. Owning a law book was considered tantamount to possessing contraband. He would surreptitiously clip articles from newspapers wherever a point of law was discussed and hide them in his clothing. "In this way I studied and made up my writ."

"In 1948, a ruling made it possible for inmates to go to the library to study law books. I was overjoyed because I could study openly now, without fear. The rest came easy. From 1948 to 1952 I prepared my writ. Everything had to be correct. I wrote four copies of the writ by hand, each one twenty-seven pages long."

His applications were masterfully composed. He cited thirty to forty precedents and his script was beautiful. "Not only did he cite past cases," reveals Judge Goldstein, "but the latest ones as well." The District Attorney upon receiving the papers submitted them almost immediately to the judge with the following notation: "In my opinion he's entitled to a hearing in open court."

* * *

JUDGE GOLDSTEIN ruled that the convictions dating back thirty-six and thirty-nine years ago for attempted burglary and burglary should be set aside because Carroll had not been advised of his constitutional rights. "These things do not happen today in our courts," Judge Goldstein said, "and I hope they never happen again. I find you have served twenty-six years illegally and unjustly and in view of that I am giving you a suspended sentence and setting you free, so that you can breathe the liberty you so justly deserve."

Steve Andres, head of a catering company in Brooklyn, immediately offered Carroll a job in his establishment as a chef, arranged a place for him to live and staked him to some clothing. A lonely, rejected man he could not entirely fathom the sudden rush toward him by the numerous well-wishers.

James Carroll's immediate plans are to save some money (he left prison with about $28) to enable him to have his ailing teeth removed. "I could have had them taken out in prison but there's no change in diet there for convalescents, and I was afraid to chance it."

"Society owes you a great debt," said Judge Goldstein in court. Indeed, can this debt ever fully be calculated? There is a chance that the state might make some restitution. In terms of money even if a calculation were based on minimum earnings at the ridiculously low figure of $1500 per year Mr. Carroll has a tidy sum coming to him.

James Carroll quotes Charles Dickens to express what he seeks now in life. "The best one meets in this world of strife is one true friend and blessed is he who has one true friend."

"I'm eager to meet someone to begin my new life with. If at all interested," he adds, "please, please write to me. I want a family, a home, and companionship."

Thug Beats Widow, 81, Gets $8,600 In 10th Floor Park Ave. Apartment

A frail 81-year-old widow was beaten and robbed of $8,600 in jewelry and cash early yesterday morning by a bandit who barricaded her in a clothes closet, where she remained for six hours.

Mrs. Alice M. Lowenstein told the police of the East Sixty-seventh Street station that she was asleep in her apartment at 929 Park Avenue, at Eighty-second Street, when the robber, his face masked by a handkerchief, roused her at 1 A. M. and demanded money.

Mrs. Lowenstein, who lives alone and is hard of hearing, directed the bandit to a dresser where she had $150. Then the thug demanded her jewelry and the elderly woman said she had none.

At this point the robber, whom Mrs. Lowenstein described as a Negro about 35 years old, 5 feet 6 inches tall and weighing 140 pounds, struck her several times about the head and gagged her with cotton.

He then, according to the police, took a pillowcase and tied her arms behind her back and sat her in a clothes closet and placed some furniture against the door.

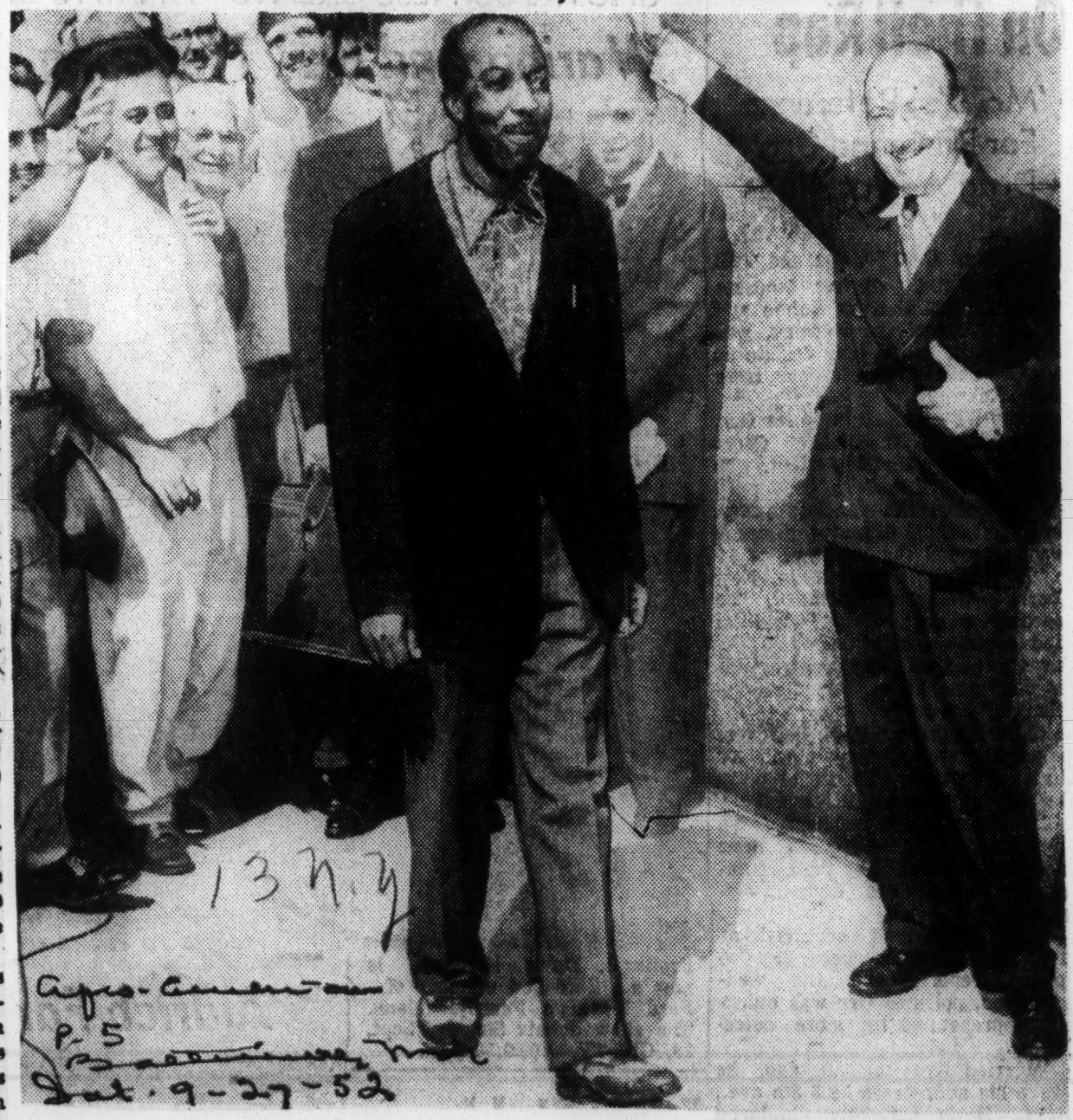
The robber ransacked the three-room apartment on the tenth floor and escaped down a fire escape with the $150 in cash and $8,450 in jewelry. The police said the jewelry was insured.

Mrs. Lowenstein, who weighs about eighty pounds, was semi-conscious for a long while. When she fully regained consciousness she managed to free her hands and took off the gag. She began pounding on the walls and attracted the attention of a neighbor, Mrs. Ernest Smith.

Mrs. Smith called the superintendent of the apartment building, who freed Mrs. Lowenstein about 7:30 A. M.

Mrs. Lowenstein was taken to Lenox Hill Hospital with a possible fracture of the nose, possible fracture of the right shoulder and multiple contusions of the body. Her condition last night was reported good.

Free After 25 Years, 8 Months In Jail



Lawyers and well-wishers wave congratulations to James Carroll, 56, as he walks out of Kings County Court, a free man after 25 years, 8 months in prison. Carroll studied law in Dannemora, and convinced Judge Louis Goldstein that his sentence of life was "illegal and unjust." (Photo by Paul Rice)

Jailed Illegally 25 Yrs., Man Goes Free

NEW YORK — James Carroll, who had been jailed for life "illegally and unjustly" walked out of Kings Court, Brooklyn, last Thursday a free man.

Thus ended the saga of a man who had been robbed of his constitutional rights but who taught himself how to regain his freedom.

James Carroll at 56 must make his way in a world he has not seen for 25 years and eight months. Already, a kindly restaurant owner has given him a job as chef and another man has offered him lodging.

Convicted 4 Times

James Carroll, or William Jameison, as he was known at the time of his jailing in 1921, had been sentenced to life after a fourth conviction. Four - time losers in N.Y. automatically get life terms.

In two minor cases of burglary in Brooklyn, Carroll had pleaded guilty without having a defense lawyer. This was a violation of his constitutional rights for the law is that a man must be provided with counsel.

In 1919, he admitted stealing a bicycle and received a five - year suspended sentence because he explained to the court that he was jobless, hungry and had a wife and son to support.

Sent To Dannemora

Arrested for disorderly conduct in 1921 he had the suspended sentence revoked and was sent to Dannemora state prison and there he stayed for 25 years.

His fourth conviction actually should have been his second because in the Brooklyn cases he had not asked for defense counsel and the court had not provided that defense. Those were his rights under the law.

Taught Himself Law

Once inside Dannemora, Carroll went to school, learned to read and write, took extra classes and finally took a high school correspondence course. Along the way, he became a very good chef and acquired a knowledge of law.

Carroll studied his case, and last February wrote a brief to Judge Louis Goldstein which proved that he had been illegally imprisoned. The judge held hearings and last Thursday he released him commenting that he regretted how Carroll had been held "illegally and unjustly" for nearly half of his life.

Befriended By Caterer

A caterer named Steve Andres who operates a business at 7604 Fifth ave., Brooklyn, had been in court at the time of Carroll's hearing. He was impressed by the lack of bitterness the lifer showed. He offered Carrol a chef's job which will pay him up to $123 a week with overtime. Patrick Hayes, 35, a chef, of 1338 Bergen st., Brooklyn offered Carroll lodging. Andres also gave the freed convict new clothes.

With his newly won freedom and his new found friends, Carroll was almost speechless, seeing how miracles sometimes happened after all.

One thing remains to trouble the freed man. He does not know where his wife Helen and son Ardith are. He would like to see them.

Illegally Jailed Man Reunited With Family



James Carroll, also known as William Claude Jameison, left, holds his grandson, Louis, one month old, after being freed from prison for having been improperly tried 25 years, 8 months ago. Carroll, freed from Dannemora Prison last week, journeyed to Troy, N.Y. to see his son Ardath, right, 30, who holds his other son Ardath, Jr., 2 years old. Carroll served 25 years and 8 months of a life sentence before he secured his own release through studying law.

WHITE KENTUCKY CONVICTS SHOT TO DEATH IN HARLEM ROOMING HOUSE WITH TWO NEGRO WOMEN

Nolen Brothers Die With Boots On While Newly Found Paramours Hide Under Bed

JANITOR TIPS OFF OFFICERS ABOUT RENDEZVOUS

HARLAN, Ky. — (ANP) — Funeral services were held in this small mountain town last week for the Nolen brothers whose brief saga of terror and lawlessness came to an end recently when they were shot fatally by police in an apartment in Harlem, New York. Three scantily-clad Negro women were in the apartment with the men at the time of their deaths.

More than 1,000 relatives, friends and just plain curious streamed by the caskets of the two brothers who had lived and—in true outlaw style—died with their "boots on."

Joseph Wayne Nolen and Ballard Nolen were two of the convicts who on Sept. 10 escaped from the Lewisburg, Pa. penitentiary only to have their bid for freedom come to an end in a blazing gun battle with police in the Harlem apartment. The third member of the escaped gang, Elmer (Lucky) Schuer of Chicago, was the only survivor. He is charged with murder.

Also killed in the gun battle was Deective Philip LaMonica. Another detective, Nicholas Cotter, is fighting for his life in a hospital.

The partially-clad colored women were Miss Arline Ball, Miss Bessie Leaks and Miss Josephine Jiminez. A fourth woman, Miss Mayola Jones, was arrested when she showed up at the apartment.

The tipoff that the men in the apartment probably were those who had escaped from the Pennsylvania penitentiary reportedly came from the janitor of the building. He became suspicious when the trio paid him $150 for an $80 flat for a month. When the janitor called that night to see one of the girls, the trio would not let him in. He then went to the police.

The building reportedly is owned by Ruby Dallas, a friend of Joe Louis. She lives in the building.

After the janitor went to the police, a raiding party of 31 cops surrounded the modern, seven-story apartment house. Officers were posted at every exit, on stairways, fire escapes, elevators and dumbwaiters.

The fugitives had locked themselves in the top-floor apartment. Ofifcers crashed through front and back doors and found their quarry in a small bedroom.

After the shooting had subsided, policemen found the women cowering in the bathroom and under a bed with almost nothing on.

The fact that these convicts could escape from prison and gain entrance to Harlem and immediately obtain colored women to entertain them has caused many Harlemites to fill with disgust.

One colored detective directly participated in the gun battle. He is Clinton Thomas of the Morrisania Station. One uniformed officer also was seen in the raiding party.

Harlem Crime Boss Convicted on Dope Handling Charge

NEW YORK - (ANP) - Louis Taylor, "crime overlord" of Harlem, and three of his henchmen last week were found guilty of conspiracy and sale of narcotics by a U. S. District court jury. The jury deliberated only 45 minutes.

The group, which boasted an unlimited supply of heroin, was the largest known narcotics ring in Harlem. Its conviction marked the end of a year and a half struggle by the government to obtain evidence to prosecute the ring.

Besides Taylor, the three convicted were Joseph (Slim) Sumpter, 33; Sylvester Heffler, 41, and Robert Green, 36. They will be sentenced Mar. 20.

Roy M. Cohn and Robert E. Branigan Jr., assistant U. S. attorneys who prosecuted the four, said Taylor was the leader of the narcotics ring, and also was the "czar" of Harlem's numbers racket. Branigan said Taylor succeeded his late boss, Joseph (Big Jim) Richards as ruler of the underworld.

To get evidence against the ring, the government assigned an undercover agent from Baltimore to make contact with its members. He finally reached Taylor, and they dickered for six months on the sale of heroin.

On Feb. 29, 1951, the agent met Taylor in a bar and grill, and Taylor agreed to sell two ounces of heroin for $250 an ounce. Several days later the purchase was made in Harlem from Heffler.

The conviction of Taylor makes two supposed "big shots" in narcotics selling who have been convicted in metropolitan cities within a week. Earlier last week Harry Schennault, known as the "king of the dope peddlers" on Chicago's south side, was sentenced to 12 years in prison and fined $7,000. Most Chicago Negroes live on the south side.

About Dope And Dope Addicts

By Laureen White

NEW YORK, (GLOBAL)—There has been much in print recently about young dope addicts in the Harlem area. It is indeed terrifying to learn that so many youngsters are addicted to using narcotics. It is criminal of the various forces at work that have made drug addiction desirable to these youths. Two of those forces are the system under which they live and the weakness of their parents.

Living under a system that tends to degrade, embarrass and crush, is not conducive to a healthy attitude toward life. In addition, thousands of veterans have recently returned from the war. They have been trying to defend our nation against an enemy. They return and find conditions pretty much the same as they left them. They are denied first-class citizenship, while many times enemies of our country are allowed to prosper.

Here is where parents enter the picture. Dope provides the user with an escape from realities, and in this sense, parents themselves are often guilty of "doping" themselves by buying cars, television sets, expensive clothes, gadgets and other things they can't afford, giving themselves a false feeling of security.

Here is a parent who knows he is denied full citizenship. He knows, also, that his children will be denied full citizenship unless efforts are expended to change things. Yet, he will put forth no effort to elevate himself or his family. Instead, he will spend his money and his time on non-essentials that are, in reality, opiates to deaden his senses to his position.

It has long been the tactic of nations bent on enslaving others to deaden their ambitions and energies with dope. British Imperialists are said to have introduced the habit to China. Reports have it that Nazi Germany flooded Poland and Czechoslovakia with dope before they invaded them. Japan built opium factories in China to weaken the Chinese. The object of those who would enslave is to get the victim in a condition so that he will crave the opiate more than he does his self-respect and freedom. Then, by controlling the source of the opiate, the enslaver controls his victim.

In the same way that nations use narcotics to weaken and control other nations, groups use narcotics to control other groups. Do parents realize that they are being doped when they spend their money and their time and energy on worthless gadgets? Do parents know that they are helping to forge chains to enslave their children when they buy cars instead of educating their children?

We can hardly lay all the blame for drug addiction on the system under which we live, when our leaders and our parents are not far-sighted and realistic enough to understand the problems that face all of us and devise a means of solving them, rather than becoming victims themselves.

There are all too many dope addicts among our young people of today. However, they have a right to look to their parents for the inspiration to fashion a fuller life for themselves.

Arsonist, Seized at His 20th Fire, Admits Setting Blaze Fatal to 7

By ALEXANDER FEINBERG

Grinning and crying by turns, a 27-year-old porter confessed yesterday that he set the fire in the four-story tenement at 1101 Bedford Avenue early on the morning of June 18 that took a toll of seven lives.

He admitted having set twenty fires in the last two years in the rookeries that abound in the Bedford-Stuyvesant section of Brooklyn.

Captured at 6:10 A. M. at the scene of his latest pyromanical exploit—a four-story brick tenement at 9 Gates Avenue—Irving Greene, who gave his address as 141 Herkimer Street, Brooklyn, said he had set the fires not through hatred, spite or malice but merely because "I like the excitement."

The fires set by the porter followed a pattern. All except the final Bedford Avenue blaze were started in baby carriages found in hallways of tenements where the doors invariably were unlocked.

In the Bedford Avenue house he could find no baby carriage. Ironically the lives of four children were lost in this blaze, which so far as police were able to determine was the only fire set by the porter that resulted fatally.

And in every case he sounded the fire alarm himself, a circumstance that was to lead to his undoing.

Loss of life in tenement fires brought Mayor Impellitteri's naming last Tuesday of a six-man special committee headed by City Construction Coordinator Robert Moses to inquire into violations of safety and fire laws in old-law multiple dwellings and recommend remedial measures.

The Bedford Avenue dwelling was a glaring example of the death-potential in 50,000 old-law tenements still occupied in the city. Classed as a firetrap in 1948, the building was without fire escapes, lacked fire-retarding, and was deficient in other safeguards. Intended for occupancy by two families it had sheltered four. The owner is under $15,000 bail on a charge of manslaughter in connection with the fire.

The arrest of the pyromaniac porter disclosed a palpable instance of another kind of laxity. His case history showed a record of psychiatric treatment for a mental condition at Kings County Hospital over a period of several years and treatment for nervous disorders ever since he suffered a head injury at the age of 7.

Police on Watch in Area

A hunch that paid off for Police Sgt. Frank Weldon, in charge of the Brooklyn burglary squad, brought about Greene's capture.

Because of a startling increase in fires of a suspicious nature in the Bedford-Stuyvesant section in the last several months, Sergeant Weldon and his squad and a detail of plainclothes men were instructed to operate out of the Grand Avenue rather than out of Brooklyn Headquarters.

At the same time Fire Marshal Martin Scott began using the fire station of Engine Company 219 at 735 Dean Street, around the corner, as a base of operations.

At 5:15 A. M. an alarm sounded at Engine 219. It was for a fire in the four-story brick building at 9 Gates Avenue, near Fulton Stret. An hour or so earlier there had been a fire of presumed incendiary origin in a three-story brick building at 681 Classon Avenue.

Sensing of Man Wanted

Sergeant Weldon decided to follow the apparatus to the Gates Avenue alarm. When he arrived at the scene firemen told him that the fire apparently had started in a baby carriage in a well behind first-floor landing and that it seemed to have been set.

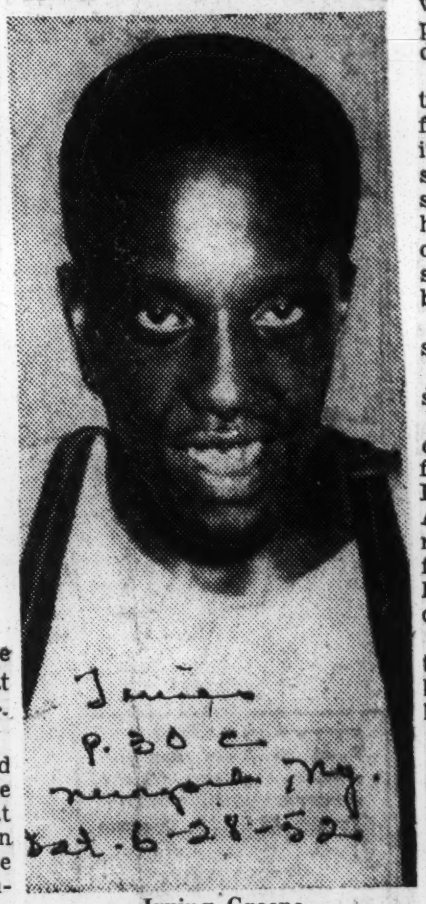
The policeman, who has won ten commendations in his eleven years on the force, noted a man standing at Fulton Street among the early morning workgoers and stragglers gathered to watch the blaze. In his radio car he followed the man as he walked two blocks down Fulton Street and then returned to the scene.

"It strcuk me that this just might be the man," Sergeant Weldon recalled later.

It was his plan to trail the suspect and, if he started another fire, to catch him in the act. He sent a messaage on his two-way radio to the Fire Marshall's office. It went through Manhattan Police Headquarters, to which his frequency was tuned.

Reporters in their own radio cars heard the conversation on the police intercommunication system

HELD IN FIRE DEATHS



Irving Greene

and picked up Sergeant Weldon's car. The suspect scented that something was amiss and started o na slow run. Sergeant Weldon seized him at Classon and Atlantic Avenues, twelve blocks from the Gates Avenue fire. He had no weapons and offered no resistance.

After questioning, Greene told Fire Commissioner Jacob Grumet: "I have been setting them [the fires] for years. I enjoyed the excitement." He added that he always turned in an alarm because he wanted to watch the engines arrive.

He never set more than two or three fires a night, always after midnight, and carried two or three long kitchen stick matches for the purpose, he said.

Greene is a slightly built man 5 feet 4 inches in height and 125 pounds weight. He said he worked as a porter in a factory building on Fourteenth Street, Manhattan His appearance was neat. He was dressed in navy blue trousers with suspenders and a blue and yellow knitted polo shirt.

Sometimes he grinned nervously as would a child expecting a favor from an adult. At other times he was tense and anxious, wiping his face constantly. Intermittently he would break into tears in the apparent realization of what he had done.

At 10:30 A. M. he was taken to the scene of the Bedford Avenue fire. There he re-enacted the way in which he had set the blaze. He said he had walked up the high stoop above two stores and in the hallway between the wall and an old upright piano had lighted a stack of newspapers he had brought with him.

Assistant District Attorney Joseph Hoey said:

"This is the man. He told us some things no one else knew."

Greene said it was he who called out to Sebero Arellano, a tenant fleeing the flames: "Don't worry, I've turned in a fire alarm!" Mr. Arellano, uncle of the three Rodriguez children who perished in the fire with their mother, Mrs. Anna Rodriguez, had reported such a conversation.

The police last night were trying to locate Mr. Arellano, who since has moved to the Bronx, to ask him to identify Greene.

Greene was booked at 2:30 P. M. on a charge of homicide and arson in connection with the Bedford Avenue fire and for arson in connection with three other fires, the two early this morning and one on May 4 in a four-story building at 1018 Pacific Street. He has no previous criminal record.

Council President Rudolph Halley said an "informal" hearing would open at 9 A. M. Monday at the Union Settlement House, 237 East 104th Street, to "determine the facts regarding unsafe, unsanitary and dangerous housing conditions in the East Harlem area, and the causes thereof."

Residents of the area, he said, will tell their own stories and specify health, fire and housing violations and hazards and their efforts to have them remedied.

The following, he said, would sit in with him at the hearing: Manhattan Borough President Robert F. Wagner Jr., Charles Abrams of the Citizens Housing and Planning Council of New York, Charlotte Carr, executive director of the Citizens Committee on Children; Seymour Graubard, chairman of the City Affairs Committee of the City Club of New York and George A. Boehm, chairman of the Citizens Union Committee on Housing Legislation.

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New York

JAZZ-HAPPY WHITE WIFE OF NEGRO DIES IN HARLEM DOPE HANG-OUT

Black Dispatch Sat. 3-15-52 P.5

Practiced Prostitution in Gotham in Order To Provide Herself and Paramour With Drugs

Oklahoma City, Okla.

BODY FOUND IN OLD TRUNK IN CONNECTICUT

13

NEW YORK — (ANP) — The finding of the dead body of a white teen-aged wife of a Negro here over the weekend revealed a sordid story—or tragedy—of a girl who found the fast life of narcotics, jazz.

As a result of her death, a possible dope den in Harlem may have been disclosed, and other narcotics in Milwaukee, Wis., also may be disclosed.

Here are the implications and the facts in the case:

The dead woman is Mrs. Joanne Barbara Scott, 16, wife of Gerald Scott, 20, of Milwaukee.

Implicated in her death are Guy Douglas, 21, transplanted to New York from Milwaukee; Miss Fair Young, New York, and Bernie Robinson, New York. These three are under arrest in New York.

The story began about two years ago when at 14, the girl was Miss Joanne Barbara Richardson, daughter of Mr. and Mrs. George Richardson. At that time she met Gerald Scott because they both had a mutual interest in jazz.

They were married, and later had a daughter, Dawn Marie, now 16 months old. They met at a Masonic dance.

Of her, husband commented:

"She was a happy girl who always loved music and dancing."

Despite their mutual interest in music, they were separated in April last year. She moved back home with her parents, and he, he says, started proceedings toward a divorce.

Her stay at home was short, however, because apparently she wanted more excitement. In Milwaukee she had a police record as a user of dope, but was considered too young for jailing.

On Jan. 20, 1952, she packed her bags and left Milwaukee with a Negro, Douglas. They went to New York. Since then the parents in Milwaukee had not heard from her directly.

The Richardsons had little to say about their daughter. They did not approve of her marriage to a Negro, and they saw her very little until she returned home.

In New York, the story is that Mrs. Scott lived in an apartment hotel with Douglas and engaged in prostitution to supply herself and Douglas with narcotics.

She left him Feb. 11, Douglas said, and he returned to Milwaukee. There he was arrested for violation of parole in connection on an earlier assault and battery charge.

From that date on her exact whereabouts have been a mystery.

Between that date and the day her body was found in an abandoned trunk , she appeared in Robinson's apartment in the Bronx at what is said to have been a dope party. It was here that she died.

Exact cause of her death is not yet known, but it is believed to have been caused by taking a bit too much dope.

It was about Feb. 25, that the girl's parents heard about her. A "Joan Allen" is said to have telephoned them from New York, telling them she was their daughter's friend, but had not seen her for several days.

The parents then notified Milwaukee police that their daughter was missing.

Her dead body was found Friday, Feb. 29, crammed in an old trunk on the grounds of an estate in Greenwich, Conn., by a gardener, Joseph Sulenski. Shocked when he opened the lid of the trunk and discovered the body, the gardener called the superintendent of the estate who in turn called police.

Because of a Milwaukee department store label on her shoes, the body was traced to Milwaukee. Her description checked with that given police by her parents



Associated Press Wirephoto

Barry "Bernie" Robinson, 29, New York, yesterday was charged with murdering Mrs. Joanne Barbara Scott, 16, whose body was found in a trunk on a Greenwich, Conn., estate. Robinson told police Mrs. Scott died in his Harlem apartment after a narcotics party.

Police Bigot Slays Brothers In Cold Blood

Baltimore Afro-American P. 3

Followed Them When They Left Bar Trying To Avoid Trouble

Sat. 3-29-52

YONKERS, N.Y. — Stanley Labenskey, 49, a former Westchester County parkway policeman, is being held here without bail on two charges of murder in the second degree in connection with the wanton slaying, Wednesday night, of two young brothers.

The victims, Wyatt Blacknall, 35, and James, 22, along with a third brother, William, 26, all Yonkers' residents, were seated at the bar in Yale's Tavern drinking ing beer, when Labensky came in and spoke to the bartender in a foreign language.

According to the bartender, he asked if the place served colored people and was told by the bartender that he served anyone who paid. Labensky then asked if the bartender washed the glasses.

Sought To Avoid Row

The brothers, getting the drift of the conversation, finished their drinks and left the tavern; but before they had gone halfway down the block, according to William, Labensky caught up to them, drew a gun, shoved it into Wyatt's stomach and said:

"I suppose you don't think I'd shoot."

Wyatt backed up a pace, William continued, and Labensky shot him in the stomach.

William then ran back into the tavern and called police, he said, and when he returned to the scene with officers, they found James, too, lying in the street, shot in the stomach. Both victims died a few hours after admission to St. Joseph's Hospital.

No Logical Explanation

Labensky, who was recognized by some patrons at the tavern, was arrested at his home, 89 Ash St., Thursday morning, and held by Judge Martin J. Fay, who granted a 24-hour adjournment to give him time to retain a lawyer.

Under questioning, he confessed to the killings, but could give no logical explanation for his action, according to Acting Safety Commissioner William J. Comey.

MAID PRAYS THIEVES AWAY

Amsterdam News

Father Divine Disciple Says She Also Quoted Bible to Gunmen

Sat. 3-26-52

Love Peace, a 45-year-old disciple of Father Divine, told the Brooklyn police yesterday that she routed two hold-up men from her employer's home by quoting the Gospel and saying prayers.

The maid was alone in the home of Samuel Weinstein and his wife, Anne B. Weinstein, at 1665 President Street when two men entered about 1:15 P. M. Both wore handkerchief masks and one carried a pistold. Mrs. Weinstein, owner of the Anne B. Dress Shope at 300 Utica Avenue, had gone out a few minutes earlier.

P. 25 C

When the men demanded money and jewels the maid said there were none in the house. The gunman thrust his pistol in her face and threatened her. Then, she said, she started praying aloud and quoting Scripture. Suddenly the two men dashed out, leaving her unharmed and taking nothing from the apartment.

Detective Robert Sanzi of the Empire Boulevard Station quoted the maid as saying that she had not been frightened because she knew Father Divine would safeguard her.

Heat On City Slickers, With War On Vice

By JESSE H. WALKER

NEW YORK—The most intensified vice drive has been launched in the Times Square area since the campaign against the Victory Girls of World War II, it was learned here last week.

The drive, undertaken by four different departments, in attempting to wipe our organized prostitution among teen-age white girls in New York's famed night life district.

What started the ball rolling was a raid conducted on Feb. 7 on the Palace Hotel, located at 132 W. 45th St., and the arrest of a mixed trio said to have headed a vice ring which operated from last Dec. 16 to Jan. 21 of this year.

3 White Girls Held

Arrested were Max Mansch, 60, manager and part owner of the hotel; and two colored men, William (Satintop) Byrd, 35, and Joseph Brown, 31, the latter reported to be the son of a policeman.

Three young teen - age white girls, two under 18, were also arrested and held as material witnesses as a result of the raid. They aere identified as Mary Driscoll, Margaret J. Hughes and Tina Maldonado.

On Feb. 29, the grand jury indicted all three men, charging them with compulsory prostitution. Brown and Byrd were named on one indictment with 14 counts charging abduction and procuring for prostitution.

In a separate indictment with 12 counts, Byrd was charged with second-degree criminal attack and second-degree assault. The indictment charged he assaulted the Driscoll girl, who is 17, last Dec. 16 and had sexual relations with her on eight different occasions between Dec. 16 and Jan. 21.

High Bail Assessed

Last Monday both Brown and Byrd pleaded not guilty, with Byrd being held without bail and bail set at $50,000 for Brown.

Thursday their attorney, John C. Hill of 261 W. 125th St., went before General Sessions Judge Francis L. Valente and was able to obtain a reduction in bail—Byrd to $25,000 and Brown to $15,000.

Assistant District Attorney Anthony J. Leibler argued strenuously that the bail for each man be set at $50,000, but Hill was successful in his plea for a reduction. Judge Valente set no date for trial.

Both defendants are said to be married and both are reported to be separated from their wives.

Byrd, who maintained a lavish apartment in Harlem, is said to have a wife living out West and a daughter, 19, living somewhere in New York.

Brown, who lived in the Palace Hotel, is said to have been married at one time to a white woman who now resides in Florida.

Flashy Dressers, Big Spenders

When arrested, Byrd was picked up in his Harlem apartment where he is said to have been living with the Maldonado girl.

Both Brown and Byrd are flashy dressers and known in certain Harlem circles as good spenders.

Byrd, a native of Philadelphia, owned a 1949 Cadillac and is said at one time to have worked as the superintendent of an apartment house. His nickname of "Satintop" stems from the slick neatness of his hair, it was learned.

Raiding Other Hotels

From information allegedly obtained from the Driscoll and Hughes girls, both of Brooklyn, police also have arrested six other men and women who are being held as material witnesses.

Since the raid on the Palace Hotel, other Times Square area hotels have been raided for prostitution.

This has resulted in the arrests of several other colored men and—in one case at least—a colored girl said to be from Washington. She was charged with prostitution.

New raids and arrests are expected as the result of continuing investigation by District Attorney Hogan's office, the Police Department, the Magistrates' Courts and Military Police of the various Armed Forces.

In speaking out against the widespread bobby-sox prostitution in the Times Square area, Liebler said "many of these side-street hotels in Times Square are operating openly as houses of prostitution.

"We are hoping to drive all prostitutes out of them and clean up this disgraceful situation," he added.

Murder Sequel Held As Material Witness In Case

Slaying Charge Faces Man, 29, In Redhead's Narcotic Death

NEW YORK—Police here have arrested the attractive girl friend of the dapper Harlem seaman who is charged with the narcotic poisoning death of a 16-year-old Milwaukee white mother and are holding her as a material witness.

The girl, Miss Fairfax Young, lived with Barry "Bernie" Robinson, 29, in his apartment at 1070 Stebbins Ave., the Bronx. She is now in the Women's House of Dentention in lieu of $10,000 bail.

Meanwhile, the grand jury began last Wednesday morning to hear testimony regarding just how red-haired Joanne Barbara Scott, white, met her death on Feb. 13 in an Eighth Ave. "junk party" allegedly run by Robinson.

In Trunk Two Weeks

The body of Mrs. Scott, a dope addict and mother of a 16-month-old baby girl, was found over two weeks later on Feb. 29, stuffed in a trunk on a millionaire's Greenwich, Conn., estate.

No other arrests have been made in the case; but Assistant District Attorney George Herman, chief of the homicide Bureau, stated that "the investigation is still continuing."

In Milwaukee, Guy Douglas, 21, has been charged with violation of the Mann Act after he admitted to police that he came to New York with the Scott girl on Jan. 20.

Douglas told police they lived together in a hotel while the girl worked as a prostitute to supply them with narcotics.

Material Witness

Here in New York, the Young girl—like Robinson—was questioned all day last Sat. but was released late that night shortly before her boy friend was booked on a homicide charge.

She was handed a subpoena at the station, however, directing her to appear before the grand jury.

It is believed she was finally held as a material witness because, according to one report, Robinson first called Miss Young when he allegedly found the Scott girl dead following a "junky party" in a den police said he maintained at 2212 Eighth Ave.

Dailies "Play" Interesting

An interesting sidelight in the case has been the treatment handed it by the daily newspapers.

When the Scott girl's body was first found, it was a front - page banner story with reporters guessing in print that she was either a beautiful showgirl or society debutante and around 25 years old.

Following her identification and disclosure of her marriage to a colored man, Gerald Scott of Milwaukee, however, the papers began to ease up.

Still, they leaped gleefully into print with stories about Robinson being picked up on a "Harlem street corner" and held for questioning.

Truth Unpaletable

Later the facts became known that the Scott girl had been a drug addict for some time, had left her husband to come to New York with another man, and had a record from when she was 13 years old.

In spite of this, some reporters tried to get the assistant district attorneys assigned to the case to say that Robinson had forced the girl into compulsory prostitution.

The district attorneys refused to make such a statement.

The story has since been found either on the far inside or back pages—or not at all.

N.Y. Stores Under Probe

Consumer Public Registers Complaints

By CONRAD CLARK

NEW YORK — The Better Business Bureau of New York on Friday accused operators of a chain of television stores in this city of deceptive "contest" over the radio.

The bureau said that the firm is using a phony contest gimmick over the radio, by issuing $100 credit checks to the first 20 persons that identify a mystery jingle which is played by a station.

Flood Of Complaints

In its accusation, the bureau said that the promotion, to stimulate sale of its television sets had resulted in "more complaints from the consumer public alleging misleading and deceptive advertising practices than any other operation in this city at this time."

Supposedly, only the first 20 persons who identify the name of the jingle on a post card mailed to the station would be rewarded with the $100 "prize" checks to apply on the purchase of refrigerators, ranges or television sets.

Prizes Not Limited

Contrary to the announcement, the bureau said, "it is clearly a fact that the prize checks were not limited to the first 20 persons who replied correctly, but were sent to large numbers of individuals, who responded to the promotion.

"A single radio station," the bureau added, "reports that from 3,500 to 4,000 of these 'checks' were distributed weekly as a result of broadcasts from the station alone."

Price Of Sets Inflated

The contest is made easy by the playing of such jingles as "Smoke Gets In Your Eyes" and "Night and Day," and the $100 checks mean very little, it was said.

The bureau charged that the firm's principal sales were of a private brand of television set, and also charged that the advertised "regular" price of these sets was pegged at a false high level so that the $100 gift certificate really meant very little.

High Prices Hit Dope Peddlers In N. Carolina

GREENSBORO, N. C. — High prices have hit the dope peddlers in North Carolina according to a statement by narcotics agent W. T Atkinson in Greensboro today.

Because of recent raids in Washington and New York, the supply has been "substantially dried up," Atkinson said after his statewide tour. Heroin has shot from $1.50(to $4.000 a pure ounce, and capsules from $1.50 to $3.

Atkinson said the marijuana traffic is neligible in North Carolina. He refused to comment on future action against the peddlers, but said there "may be some more fireworks soon."

The hospital in Lexington, Ky., Atkinson added, is "packed" with addicts who have given themselves up. Atkinson is one of two narcotics agents investigating in the state.

13 1952

Ohio

Ex-Boxer On Trial, Acts As Own Lawyer

CINCINNATI — Flawless English from the lips of an eloquent convict brought sympathy and an offer from the court to help him toward rehabilitation Friday, for Bernard Davis, 32, former sparmates of Ezzard Charles.

Davis had entered a plea of not guilty to robbery before Judge Charles S. Bell.

He was given permission to speak in his own behalf. The court sat spell-bound as the prisoner whose bald head glistened from the complete shave began talking. His choice of words and diction were those of a college professor. He declared he was puzzled by his mental condition and wondered if he was not insane. If he was, Davis cried, "I would like to find out."

So impressed was Judge Bell that when the prisoner had finished he promised to do all in is power to rehabilitate Davis.

As a first step Davis will be sent to Lima State Hospital for the Criminal Insane for a 60-day examination.

White and Negro Women Engage In Fight on 23rd St.

Just what caused a fight between Mrs. Harry Watson (white), 2300 Tower Court, and Mrs. Delma Jackson, 1412 N. E. 9th street, Saturday in front of the C. R. Anthony store on N. E. 23rd street, was not disclosed on the report sheets in the sheriff's office Tuesday afternoon.

Telephones at neither address were answered Tuesday afternoon and the presumption is that the difficulty may have arisen respecting parking space.

Mrs. Watson called the sheriff's office Monday and said she had had difficulty with Mrs. Jackson at the 23rd street address and that the colored woman had assaulted her and that injury had been done to her arm.

Officers were able to locate Mrs. Jackson by identifications given by Mrs. Watson who said Mrs. Jackson was riding in a car with a man and another woman, and that the license tag number was 1-A8273, registered to O. B. Jackson.

While Mrs. Jackson had not been reached Tuesday, her husband stated to officers his wife had told him she had had some trouble with Mrs. Watson and that Mrs. Watson struck her first before she retaliated in kind. Jackson said he was not present at the time of the fistcuff. Mrs. Watson reported she had three witnesses who observed the physical encounter she had with Mrs. Jackson.

Found Dead In Cell After Arrest For Drunk Driving

Sheriff James Thompson said Tuesday results of an autopsy showed the cause of death of Nathaniel Howard, 59, of State Line Road, found dead in Shelby county jail early last Saturday morning by three other cellmates, was due to a hemorrhage.

There was internal bleeding in the brain, he said. He said the autopsy surgeon told him it could have been caused by a fall which injured the brain.

The autopsy on the body of Nathaniel Howard of State Line Road had not been completed at press time, Thompson said, and it has not been determined if he had alcohol in his blood.

JAILED FRIDAY

Howard was jailed Friday night by Deputies W. M. Hood and W. L. Cargill for investigation of driving while intoxicated.

Howard was involved in an accident about 4:30 Friday afternoon on Winchester Pike opposite the Airport. Driving east on Winchester Howard struck four parked cars in a 125-foot distance, according to deputies W. M. Hood and W. L. Cargill. His car was stopped side wise across the road and Howard was slumped over the steering wheel when the deputies reached the scene He was jailed following an investigation of the accident.

HAD FALL ON JOB

Mrs. Ura Cochran, personnel clerk of the Dixie Wax Paper Company where Howard was employed, said Howard suffered a fall of about 10 feet last Wednesday. He was taken to the office of Dr. Alphonse H. Meyer and X-rayed, Mrs. Cochran said, but no injury was revealed, except a cut over the right eye. Despite advice of the physicians and suggestions of his employers, Howard refused to stay away from work for a few days, she said.

Minnie Franklin, 42, of 932 Knight Howard's sister, said the dead man [illegible], was a church deacon and had never been arrested before. She said he got a "serious headache" at 11 A. M. Friday and was sick for the rest of the day. He left for home at 3 P. M., she said.

APPEARED ILL

H. P. Riley, an employee of the Memphis Municipal Air Port, told a Memphis World reporter that soon after he visited the scene of the accident in which Howard was involved and Howard did not appear to be drunk or have a smell of liquor on his breath and when the arresting officer asked Howard for his driving license, he pulled a lot of money from his pocket, but was unable to produce his license before he had slumped on the seat of his car.

Riley said that Howard was not injured in the accident, but appeared to have been in a coma, apparently sick when the accident occurred.

CELLMATES FOUND BODY

At the time of finding Howard dead in his cell, three of his cellmates said he immediately fell asleep on the floor after being placed behind bars. He slept soundly throughout the night, breathing heavily until 5 o'clock the next morning. Then the heavy breathing subsided and a short time later they examined Howard and, believing him dead, they called the jailer. The prisoners in Howard's cell were Eugene Kalles of Rosemark Road, Paul Vasser of Horn and Tulane Roads and Geo. Hammonds of 2630 Fite Road.

He is survived by his wife, Mrs. Beulah Howard, children, Osley Hermine, Edward, Lee Emma, Hariette, Willie M. and Bessie Howard. Other relatives are Osley Howard, Jr., Mr. and Mrs. Edward Pearson, Rev. and Mrs. R. L. Jones, Rev. and Mrs. Ollie Franklin, Mrs. Bertha Conner.

Funeral service were conducted Wednesday at St. Paul Baptist Church, Capleville, Tennessee, with Rev. L. A. Hamblin, assisted by Rev. J. D. Westley. Brantley Funeral Home in charge.

Dies 13 Hours After Arrest For "Driving-Intoxicated"

Nathaniel Howard, 59, State Line Road, charged with driving while intoxicated was found dead in the Shelby County Jail by other cellmates early Saturday morning, about 13 hours after his arrest in a county traffic accident.

Sheriff James Thompson said he has ordered an autopsy by Dr. Charles Bender. Pending Dr. Bender's report, cause of death remains unlisted, the sheriff said.

Howard, was involved in an accident about 4:30 Friday afternoon on Winchester Pike opposite the Airport. Driving east on Winchester, Howard struck four parked cars in a 125-foot distance, according to Deputies W. M. Hood and W L. Cargill. His car was stopped side wise across the road and Howard was slumped over the steering wheel when the deputies reached the scene.

The three cellmates of Howard said he immediately fell asleep on the floor after being placed behind bars. He slept soundly throughout the night, breathing heavily until 5:00 yesterday morning. Then the heavy breathing subsided and a short time later they examined Howard and, believing him dead, called the jailer.

The owners of the damaged autos and two others attracted the scene were summoned to Sheriff Thompson's office yesterday morning. They told the sheriff in the presence of newspapermen that Howard appeared drunk after the crash. He talked coherently but remembered nothing of the accident.

Mrs. Ura Cochran, personnel clerk of the Dixie Wax Paper Co where Howard was employed, said Howard suffered a fall of about 10 feet last Wednesday. He was taken to the office of Dr. Alphonse H. Meyer and X-rayed, Mrs. Cochran said, but no injury was revealed, except a cut over the right eye. Despite advice of the physicians and suggestions of his employers, Howard refused to stay away from work for a few days, she said.

The prisoners in Howard's cell were Eugene Kalles of Rosemark Road, Paul Vasser of Horn and Tulane Roads and Geo. Hammonds of 2630 Fite Road.

Howard is survived by his children Hermonie and Ossia B. Howard of 1293 Kerr.

Funeral services in charge of R. S. Lewis and Sons, were incomplete at press time.

Injunction Granted To Negro Against White Theater Owner

MEMPHIS, Tenn. — (SNS) —

Chancellor Lois Bajach granted a temporary injunction Thursday, to James Rutherford 57, against nine tracts of property owned by A. J. Suzore, white Theatre owner who is alleged to have shot Rutherford in September 1950

The injunction was sought by Rutherford, who is trying to collect a $14,000 judgment against Suzore. He was awarded the judgment by a Circuit Court Jury 18 months ago, when he testified Suzore shot him without provocation while he was hunting on Suzore's farmlands. Suzore was convicted recently in Criminal Court of assault and battery in connection with the incident.

Rutherford also asked in his bill that a trust deed be cleared up on property on the west side of No. Main between Market and Winchester, and a receiver be named for all the property.

Rutherford claimed Suzore has interests in 850 acres of farmland in Shelby County and two lots with a combined assessed valuation of $49,000 which could be sold to pay his judgment.

About $3,000 of the judgment was paid last October 3, when The Suzore Theater and property at 809 Jackson was sold to Rutherford at public auction. Also bound by the injunction are Mrs. Irene Suzore, Nelson Suzore and J. V. Motedonico and R. D. McElroy, trustees of the property on Main.

In April 1951, the Courts of Appeal awarded the Judgment to Rutherford through his Attorney Harry Johnson, who demanded a settlement to satisfy the judgment.

Previously Suzore was found guilty by a Criminal Court jury on a charge of assault and battery and sentenced to 30 days in jail and fined $100 in connection with the shooting of Rutherford who is reported to have been squirrel hunting.

The jury in Judge Sellers' court returned the verdict. It was the second trial for Suzore on the charge. The first ended in a mistrial.

Suzores attorney, Jime Bickers, entered a motion for a new trial, which will be argued October 31.

The charge resulted from the wounding of James Rutherford 57 of Walls Road, September 30, 1950 as he was hunting in a wooded area of Suzore's property near Woodstock.

Rutherford testified that Suzore ordered him to drop his gun, he peeped around some busnes to see who was talking to him and Suzore shot him. He testified Suzore and a boy with him left him there.

Suzore testified that he ordered Rutherford off the property he called Rutherford back to talk to him and Rutherford turned around and swung his gun around toward him. Suzore testified that he fired one time in the air, then at Rutherford's hand. The shot hit Rutherford in the side.

CHAMBER PREXY ARRESTED ON POSTAL CHARGES HERE

I. S. Bodden, the director of Bodden's Tailoring School at 546 Beale and president of the Memphis Negro Chamber of Commerce was taken into Federal Custody Friday on the charge of "interfering with the mails by forcibly taking a Special Delivery letter addressed to him without paying the five cents postage due."

This charge, according to Mr Bodden, is unjustified in that he offered the five cents to the messenger but it was ignored. The affair started at about 11 A. M. Friday when the messenger came to the Bodden School and in the hall called loudly for "Ira."

Upon entering the room where Mr. Bodden was, he simply said, "This is for Ira Bodden" and threw the letter down on the counter. Mr Bodden, picking up the letter and noting the postage due notation, said: "Isn't this letter addressed to Mister Ira Bodden?"

At the same time, he said, he was withdrawing from his pocket a nickel to pay the postage due. The messenger, reacting to the reminder that "Mister" was on the letter, left ignoring the five cents which Mr. Bodden had placed on the counter for him.

Later in the day, at about 4:30 P. M., two deputy postal commissioners came with a warrant for Mr. Bodden and took him to the Postal Commissioner's Office at the Main Post Office on Front Street.

One of the men in the office questioning Mr. :Bodden asked "Who do you think you are?" To which Mr. Bodden replied: "A citizen." Whereupon, according to Mr. Bodden, his questioner departed. Mr. Bodden was subsequently taken to the county jail.

Immediately upon learning of his arrest, many local business and professional leaders went into action to procure his release. Rev. J. A. McDaniel, executive secretary of the Urban League called the commissioner's office, to learn the details of the case and to see what could be done about getting Mr. Bodden released.

When he first called, he reported he was treated with discourtesy and not given the information he sought regarding Mr. Bodden's bond. A copy of the charge was read to him.

When Rev. McDaniel, with the asistance of John Arnold, Albert Henry and Leonard Small, retained a lawyer, some degree of satisfaction was secured.

Mr. Bodden's bond was set, at the inquiry of the lawyer, at $500 which was paid at about nine P. M. Friday and Mr. Bodden was released. A hearing before the commissioner was waived in that the commissioner had "gone home for the day" and could not hear the case at that time.

A Grand Jury hearing on the case is expected to transpire at about the latter part of this month. At this hearing. it will be decided who has the stronger claim to credubility - Mr. Bodden or the messenger

The messenger maintained before his superiors that Mr. Bodden had forcibly wrested the letter from him Nothing, according to Mr. Bodden, could be further from the truth The fact is, he says, that the messenger, carelessly tossed the letter on the counter and was not holding it at the time Mr. Bodden picked it up.

Mr. Bodden, who has lived in Memphis about 25 years, resides at 902 Polk avenue with his wife, they have no children. Although a native of the Republic of British Honduras, he is an American citizen.

For many years, he was associated with the Buffington Tailoring company here and then, prior to his establishment of the Bodden Tailoring School, was clothing instructor at Tuskegee Institute.

A member of the Episcopal church, he has become prominent in Memphis affairs through his leadership and support. His arrest came just a half hour prior to the time he was to conduct a vital meeting of the Negro Chamber of Commerce

Although naturally not certain what will happen at the Grand Jury hearing, he expressed confidence that when all facts of the case are known, he will be acquitted of the "trumped up" charge against him.

NEGRO WOMAN'S BODY HINTS TORTURE DEATH

Burned By Hot Instrument—Husband Missing

A Negro woman, Savannah Hulon, about 65, whose body was found late Wednesday night in a locked room of her house on Brunswick Road, may have suffered a torture death, according to Dr. Hugh Raines, Shelby County medical examiner.

Dr. Raines said the woman's body was burned about the face, breasts and right arm sufficiently to have caused death. The burns gave appearance of having been caused by a poker or other hot implement dragged across the skin, Dr Raines said. The death had occurred probably three to four days ago, deputies said.

The woman's husband was last seen Saturday, his neighbors told deputies. Lieuts. Aubrey Smith and J. V. Jowers of the sheriff's office, Homicide Bureau, are investigating.

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THE HULON HOME ON BRUNSWICK ROAD NEAR OAK GROVE—Above is the home of the Walter Hulons who were murdered late week-before-last. Mrs. Hulon's body was found in one of the bedrooms of the house, locked in and smothered in bed clothes last Wednesday. — (Photo by Qualls).

Bodies Of Mr. And Mrs. Hulon Discovered Almost Week Later

MEMPHIS, Tenn. — (SNS) — Two aged Negroes were victims of one of the most mysterious double-murders in the history of Shelby County. They were Mr. and Mrs. Walter (Savannah) Hulon who lived on a small farm on Brunswick Road near Oak Grove.

Mrs. Hulon's body was found on Wednesday night in their home and showed evidences, according to Dr Hugh Raines, Shelby County medical examiner of being tortured

Mr. Hulon's remains were found in a near-by field on Friday. His badly-beaten body, found in a shallow grave, showed that he had been severely beaten.

When Mrs. Hulon's body was found, it showed scars about the right arm. The scars seemed to have been inflicted with a hot poker. It was estimated at that time that the 65-year-old woman had been dead for about three or four days.

She was found lying face down wraped in bed clothes. The room was locked and there was in it a poker—believed to be the murder weapon. No one had seen either Mr. or Mrs. Hulon since the preceding Friday.

On Wednesday, the time Mrs. Hulon was found, some suspicion was allegedly directed at her missing husband. This was due to the fact that their pick-up truck much of Mr. Hulon's clothng, and some of the furniture was missing.

However, when Mr. Hulon's body was found Friday, investigating officers for the county were given very little to go on. The Hulons, long-time residents of the small community, were known as Christian people ho got along well and had no quarrels with anyone.

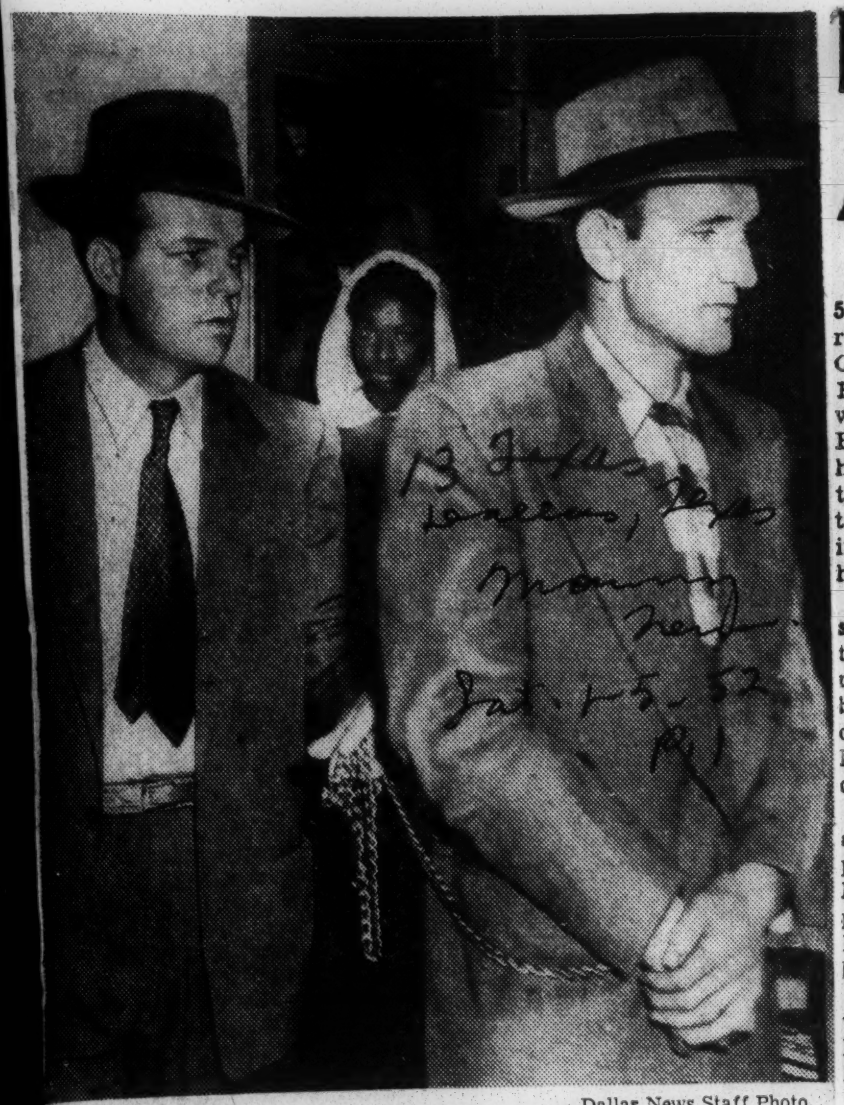
By the week's end, Shelby County Deputies would not disclose any possible clues. It was un-officially thought by neighbors that the pair may have been killed by a derelict wandering through the community in search of food, clothing, money and transportation.

Funeral services for Mrs. Hulon were held Sunday at one p. m. from the Orange Mound Funeral Home. The services were held in Center Chapel Missionary Baptist Church in Capleville, Tenn. The pastor, Rev. C. N. Hamilton was assisted by Rev. A. C. Pettis. Interment was in the church cemetery.

She is survived by one son, Theodore Davis (by her former marriage to Valentine Davis); one adoped son, James Hulon, now in the armed services; three sisters, Mrs. Roxie Lucas, Mrs. Martha Alexander and Mrs. Evie Greenwood and three brothers. Henderson Mosely, Joshua Mosely and Howard Bowen.

The services for Mr. Hulon will be held Tuesday from the Qualls Funeral Home. The rites will be in the Fullview Baptist church in Ellendale. Interment in the church cemetery.

He is survived by the adopted son, James; three brothers; William, Joseph and Cassell Hulon and one sister. Mrs. Leila Robinson.



—Dallas News Staff Photo.

Paul Adams Gibbs, alias Tommie Gibbs, right, one of the twenty-two persons charged with illegal sale of narcotics in Dallas Friday is pictured here being brought into United States Marshal Red Wright's office. City Detective H. W. Totten, left, is guarding Gibbs. In the background is Connie Fields, 19-year-old Negro girl, also charged as a dope peddler.

Faces Charge Of Beating And Robbing White Man

Informer P.T Houston, Texas

HOUSTON — Hargie Randall, 28, 5495 Colfax, is facing a charge of robbery by assault in Judge Maes' Court, after he beat and robbed Ernest Meador, 58, 221 Caplin, white, Wednesday, August, 20, on Burns road in Fidelity, when he had Mr. Meador drive him out to Burns road under false pretenses, posing as a customer buying some batteries that Mr. Meador had in his truck.

He was identified in a police show-up by three men as the man they had seen Wednesday. Two men picked him up after the robbery and gave him a ride; the other man saw him drive off with Mr. Meador on his truck Wednesday.

According to Mr. Meador, he buys and rebuilds batteries and has a place of usiness at 1511 Ovid. He said that Wednesday about 1:00 p.m. he was at Doran's used Car lot in the 4100 block of Harrisburg, with the batteries when Hargie Randall told him that he wanted to buy them and would pay him after he delivered them to his place of business.

Mr. Meador continued that they left in his truck, and Mr. Randall told him to drive out Clinton drive, then they turned off on Burns road and went north. After they passed the railroad tracks about three quarters of a mile, Mr. Randall grabbed him by both legs and pulled him aside and slid under the wheel.

Mr. Meador said that Mr. Randall didn't say anything but turned off into a prairie about two or three yards Mr. Meador said that the man ran the truck into a ditch and he jumped out and ran. The man overtook him and had a long knife.

Mr. Meador added that he had gotten out his knife and when Mr. Randall came up to him, he cut him in the left chest. Then Mr. Randall picked up some sticks and beat him and started fighting. Mr. Meador said that he kicked the knife out of Mr. Randall's hand and fell. Then Mr. Randall jumped on him and took his billfold containing $124.00 in cash, some checks, and his driver's license. Then he ran off. Mr. Meador said that he walked to a nearby house and had the people call the police.

The Galena Park police answered the call, then notified the Houston Police department. The officers went with Mr. Meador to the scene of the robbery and found three pieces of a tree limb, which Mr. Meador told them had been used on him. They then went to H E. Dorr Motor company, 4308 Harrisburg, where they talked with Freelander Tillman, 7920 Hoffman, an employee there, who saw Mr. Meador drive off with Mr. Randall in his truck.

The officers then talked with I. D. Raney, white, 1110 Coral, who is a brotner of Sergant Raney, Houston Light and Power company, who had picked up Mr Randall and given him a ride to Burns and Clinton drive. Mr. Raney told the officers that Mr. Randall had claimed that a girl nad cut him.

James Simmons, 226 Pennsylvania, Clinton Park, told the officers that he was on his way from home to a cafe on Clinton drive about 2:00 p.m. when he saw a Houston Light and Power truck driving by and a man in it waved at him and said, "Hey, fellow, how about driving me to the Fifth ward, I'm cut?"

Mr. Simmons continued that he didn't know what had happened and agreed to take the man. He added that the man told him that a girl had cut him. He asked the man where did he want to go to the Beale Clinic or St. Elizabeth hospital. The man told him not to bother but to drive him across Lyons on Lockwood and paid him $2.00.

The police arrested Mr. Randall at St. Elizabeth hospital and took him to Jefferson Davis, where he was treated for a wound over his heart. Mr. Randall has a police record, according to the police, who stated that he has been robbing a number of Colored people before.

State Orders U.S. Gambling Stamp's Death

Bewildered Numbers Backers Conferring With Legal Counsel

RICHMOND

Does the Commonwealth of Virginia have the authority to call in a tax stamp issued by the Federal Government?

This is the question puzzling Richmond's harrassed gamblers, after T. Gray Haddon, Commonwealth's attorney, "suggested" that the gambling gentry turn in their Federal tax stamps by the end of this week.

Mr. Haddon declined to discuss the consequences of failing to comply with the suggestion, but indicated that "a definite plan of action" had been prepared for those still holding stamps next week.

Immediately after the Commonwealth attorney asked that the stamps be returned to Police Capt. Dan Duling, the gamblers entered hurried conferences with their legal advisors.

The following day two holders of the stamps returned their tax stamps but others appeared to be holding out.

Test Case Expected

It is rumored that most of the stamps will be returned by the end of this week, but at least one stampholder would keep his to "see what will happen."

The gambling gentry apparently intends to make a test case of at least one stampholder.

Two Stamps Surrendered

Two of the 66 Federal gamblers stamps owned by Richmonders were turned in to Police Capt. Dan Duling on Tuesday. They were both owned by men under charges of operating "a clearing house."

William Glasgow, 63, of the 700 block N. Second St., and brother of the late Travis Glasgow, confessed confidence man, turned in his stamp through his attorney.

The other stampholder to surrender the tax stamp to police was Linwood Lee Coleman, white, of the 4700 block Brook Rd. Coleman faces a police court hearing on March 13 on four separate charges of promoting "clearing houses."

Glasgow will be given a police court hearing the same date.

Negro Lawyer Is Wounded In His Office

A Negro lawyer, Linwood E. Smith, 34, of 101 Overbrook Rd., was shot and seriously wounded early yesterday.

Smith was found by police in his office at 10 West Leigh St. He was taken to St. Philip Hospital.

Police quoted Smith as saying that he was sitting at his desk when an unknown person entered and shot him in the chest. He was unable to describe his assailant, even to say whether he was shot by a male or female, police said he told them.

Too Weak to Talk

Detective-Sergeant F. S. Wakefield, who was assigned to the case, said Smith was still too weak to tell much about the shooting. However, Wakefield said Smith told him that he did not shoot himself, even though there were powder burns on his shirt.

According to Detective-Sergeants C. B. Moore and Ralph Godfrey, the shooting happened at about 2:40 A. M. They reported that the office was in "untidy" condition when they arrived. A chair was overturned, a vase was broken and a stature of a horse was lying on the floor with a broken leg.

A pistol and handkerchief were found in front of the desk where Smith said he was sitting, the detectives said. About six feet from the desk there was a large bloodstain, they said.

Naked Couple Had Argument

Witness' Story Called 'Incredible'

NORFOLK, Va.—A 41-year-old man was sentenced to 5 years in the penitentiary here Tuesday for the death of a girl friend whom a witness said he set afire while both argued in the nude.

Ernest L. (Buster) Moore changed his plea from not guilty to guilty to second degree murder in Corporation Court at the conclusion of the Commonwealth's case without taking the witness stand.

Moore was accused of stabbing Beatrice Preston, then covering the nude body of the woman with an inflammable liquid and setting her afire in his room on Sept. 9.

Found Both Naked

Willie Worden, who claimed to be an eyewitness to the affair, testified that he called on Moore that evening and found him and the Preston woman sitting naked on a bed in the room while arguing. He said the three of them had a half hour conversation.

Judge Richard B. Spindle said that the testimony of Worden "was incredible" and commented that he could not conceive of "the lowest level of humans" acting in the manner in which Worden's testimony indicated.

Worden testified that Moore appeared to be angry at the woman and poured something on her, then got a match and threw it on her before leaving the room.

He Sat on Bed

Asked what he did during the half hour he was in the room Worden said that he "sat on the bed." He said after Moore threw the match on the woman he picked up a blanket from the bed to put the fire out and obtained a coat for her.

He said he left before the woman but another woman took her to his room where he got a dress for her and she remained the remainder of the night. He said, "she just walked around, then sat down," and denied that either of them went to bed.

The next morning she was taken to the Second Police Precinct where she was carried to the hospital. About three weeks later she died.

Woman Heard Shriek

Maggie Skinner, an elderly woman who occupied another part of the house in which Moore lived, testified that she heard a woman shrieking and saying, "Don't burn me, Buster." and saw flames coming out the door.

She said she went back to bed when she saw no one.

A detective testified that Moore admitted being intimate with the woman but said the defendant told him the woman burned herself by falling against a laundry stove. The officer said Moore denied pouring kerosene on Miss Preston.

Oust Judge Who Freed 2 Women

CHEYENNE, Wyo.—Police Court Judge Lloyd Cowdin is listed among the unemployed last week in the wake of his having freed two Negro women from jail, terming the arrests as "the most flagrant violation of constitutional rights."

Mr. Cowdin's dismissal was made by Mayor R. E. Cheever and City Commissioner Robert Adams. Last week, the Mayor claimed that Cowdin's courtroom blast had nothing to do with the ouster, but added that he was not at liberty to give reasons for the action.

The women, Wilma Wilson and May McDay, were among thirty Negroes arrested in a roundup in the west end of town on the eve of payday at the Warren Army Air Force Base. At the time, Judge Cowdin said that those who failed to appear in court could make an appearance before him and receive a public apology and retrieve their bonds, which ranged from $10 to $100.

THE TWENTY-EIGHT other Negroes failed to show up.

Police Lieut. K. L. MacFarland, who made the arrests as head of the city's patrol division, stated that he had acted on orders from Police Chief W. T. Lane. MacFarland told reporters that he had a "good idea" why the Negroes were arrested, but refused to comment any further. He did state that only "one or two" had temporary residence in the city and the others had been here for only a short time.

Lieutenant MacFarland said that there is "no race problem at all in Cheyenne," then added, "We have colored boys in our department; if there were any prejudice, it's sure we wouldn't have them working for us."

The police chief and police judge positions here are appointive posts by the City Commission and the Mayor.

The Mayor claimed that he and Cowdin "have never had an argument," and added, "My duty is to build an organization that functions and works for the betterment of everyone in Cheyenne."

13b 1952 (Alabama) (D.C.)

Supreme Court Refuses, 8-1, Pleas Of Rosenberg A-Spies

WASHINGTON, Nov. 17 (AP)—The Supreme Court today fired a double-barreled "no" at pleas by convicted atomic spies Julius and Ethel Rosenberg that the high tribunal save them from the electric chair.

By an 8-1 vote—Justice Black dissenting—the court refused for the second time in just over a month to review their conviction.

Only the President can save the Rosenberg's by reducing their death sentences to prison terms. Today's ruling clears the way for the federal prosecutor in New York to ask the U. S. District Court to set an execution date.

The tribunal today also refused for the second time to hear an appeal by Morton Sobell, radar expert who was convicted of aiding the Rosenbergs in their spying. He is under a 30-year prison term.

In a relatively light day of decisions, the court handed down two other important rulings. It held:

1. A fugitive wanting to test the constitutionality of the treatment he received in a state prison from which he fled must go to the state courts in which the prison is located.

Alabama To Get Escapee

The court upheld 8-1 Ohio's attempts to send Robert Woodall, a Negro who fled the Alabama State Penitentiary, back to Alabama. In fighting extradition, he said he would receive "barbaric and cruel" torture if returned to Alabama. Woodall had served six years for burglary and larceny in Alabama when he escaped. He was captured in Cleveland.

2. Payments from GI insurance policies may not be made to the heirs of beneficiaries, and payments stop when the beneficiaries die.

The 5-4 ruling awarded to Mrs. Clara Belle Henning of Boston the entire $10,000 payment from a National Service Life Insurance policy of her son, Eugene C. Henning. He died July 4, 1945, while in the Navy.

The decision reversed the U. S. District Court in Boston which had ordered the payments from the policy divided between Mrs. Henning and the heirs of young Henning's deceased father, Otto F. Henning, and stepmother, Mrs. Bessie M. Henning. The father, original beneficiary of the policy, died five months after his son without filing a claim and Bessie died in 1949.

Trial Called Unfair

The Rosenbergs had questioned whether they received a fair trial, saying the dath sentences may "have been unduly influenced by political prejudice and hysteria."

The couple said although they were accused of conspiracy to commit espionage their trial in U. S. District Court in New York amounted to one for treason without the required constitutional safeguards.

The high court also refused to consider another petition asking a new trial for the Rosenbergs and Sobell. Sponsors of the petition said it was signed by 50,000 persons.

Frankfurter declared the Supreme Court was not necessarily upholding the lower court rulings on the spy case. He said his statement was aimed at clarifying misconceptions which "persist despite repeated attempts at explanation." He said:

"It means, and all that it means is, that there were not four members of the court to whom the grounds on which the decision of the Court of Appeals was challenged seemed sufficiently important" when judged by the standards governing the granting of Supreme Court reviews.

13b 1952

Alabama(Michigan)

Detroit Police Save Wanted Man From Alabama

DETROIT—The local police department rescued a south-bound fugitive last week from a southern deputy sheriff who came here and grabbed his prisoner without consulting the Detroit police department.

Gerdis Hiss, 23, of Birmingham, Ala., who is wanted in the Alabama city for jumping a $300 bond and heading north, had been handcuffed by Special Deputy Sheriff Grady Boston of the Jefferson county sheriff's department. He was being led to the sheriff's car when Detroit police arrived on the scene in response to a call.

The officers told the Alabama deputy sheriff that under the Michigan law he was about to commit a kidnapping. They advised him that he would have to go through extradition procedure before he could be transferred from Michigan to another state.

Atty. LeBron Simmons, obtained a writ and Hill was realesed under a 100 bond.

Apparently disgusted with the laws for the North, Boston got into his car and headed back to Alabama without his prisoner.

13b 1952

(Alabama) (New Jersey)

Fight to free Dixie Fugitive

ATLANTIC CITY, N. J.—Gov. Alfred E. Driscoll of New Jersey was to hold a hearing in Trenton, Jan. 2, on the appeal of the local branch of the NAACP to save Anderson C. Salter—known also as Jasper Lark—from extradition to Alabama.

Salter escaped from an Alabama penitentiary after having served ten years of a thirty-five-year sentence for allegedly raping a white girl. Now 37 years old, Salter is married and the father of a 6-year-old son. He lives in Newtonville, N. J. He was sentenced from Grove Hill, Ala., in 1933. He charges he was "framed."

Driscoll Asked Not To Remove Negro To State

TRENTON, N. J., Jan. 2—(AP)—Representatives of Negro civic and church groups Thursday asked Governor Driscoll to permit a fugitive from an Alabama prison to remain in New Jersey.

Heavyweight Champion Jersey Joe Walcott and stage star Josephine Baker were among some 100 persons who attended a public hearing to seek fredom for Anderson C. Salters.

Salters, a 37-year-old Negro woodcutter, of Newtonville, is being held in the Atlantic County jail pending removal to Aalabama on a warrant issued by Governor Driscoll.

The hearing was conducted by Leon Milmed, counsel to the governor.

Salters' attorney, Martin Bloom, asked that Governor Driscoll request the governor of Alabama to grant a pardon for his client.

Bloom said if the pardon were refused, Governor Driscoll should permit Salters to remain in New Jersey.

Salters was convicted of raping a white woman in Alabama in 1933. He served 12 of a 35-year sentence in various Alabama penal institutions before escaping.

Bloom cited medical evidence that Salters had been treated cruelly during this period.

Salters had be nliving in Newtonville since 1945 under the name of Jasper Lark, His identity was discovered when he was arrested on a charge of stealing wood, of which he was later acquitted.

Soon after his arrest, a detainer warrant against Salters was lodged by Alabama.

Salters asked Atlantic County Judge Leon Leonard for a writ of habeas corpus, but this was "reluctantly and with regret" denied by Leonard on Dec. 18.

The judge said it was not within the jurisdiction of his county to decide if a prisoner's constitutional rights had been violated in another state. However, Leonard asked Alabama to give guarantees that Salters would not be mistreated if he were returned.

On the basis of this decision, Bloom asked and was granted the public hearing. The Atlantic City attorney said it was impossible to ensure his client's good treatment if he were returned to Alabama.

Bloom said the fact that Alabama made no attempt to refute the charges of cruel treatment lodged against it before Judge Leonard showed the charges were true.

He said that Salters, who has married since his escape, has lived a model life since 1945.

State drops Wright parole violation case

ALBANY, N. Y., Feb. 22—(AP)—James Andrew Wright, one of nine Negroes who figured in Alabama's famous "Scottsboro case" 20 years ago, was freed from jail here yesterday when Alabama withdrew a parole violation charge.

He had been acquitted Tuesday on a charge of raping a 13-year-old Albany Negro girl, but had been held in jail on the Alabama warrant.

ARGUMENT ON a writ of habeas corpus had been scheduled for yesterday in State Supreme Court. Wright's attorney, Jawn Sandifer of New York City, withdrew the application after he had been notified that Alabama had dropped the warrant.

Wright, 39, came to Albany in June, 1950, on parole from a 99-year sentence in connection with the rape of two white women in Alabama. He had served 17 years of the sentence.

Wright will continue on parole under supervision of the New York State Parole Board. After his release, he said he hoped to obtain permission to move to New York City.

State Negro escapee asks Jersey refuge

TRENTON, N. J., Jan. 2—(AP)—Gov. Driscoll was asked today to permit a Negro fugutive from Alabama to remain in New Jersey.

At a hearing before Leon Milmed, counsel to the governor, Atty. Martin Bloom asked mercy for his client, Anderson C. Salters, of Newtonville.

Salters was convicted of raping a white woman in Alabama in 1933 and served 12 of a 35-year sentence in various Alabama penal institutions before escaping.

He had been living in Newtonville since 1945 under the name of Jasper Lark. His identity was discovered when he was arrested on a charge of stealing wood. He was later acquitted of this charge.

Bloom cited evidence of cruel treatment he said Salters had received in Alabama.

Bloom asked that Gov. Driscoll either request the Governor of Alabama to issue a pardon to his client or refuse to turn Salters over to Alabama authoritives.

Salters was also represented by Clifford R. Moore of the National Association for the Advancement of Colored ePople at the hearing. The hearing was attended by more than 100 persons, including stage star Josephine Baker and heacyweight champion Jersey Joe Walcott.

Georgia Joins With Ohio On Ala. Extradition Case

BY LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — The State of Georgia has joined with officials of Cuyahoga County (Cleveland), Ohio, in seeking the return of a fugitive to an Alabama chaingang.

Ironically, the State of Alabama has shown no interest in the return of the fugitive, Robert Woodall, of Birmingham, Alabama, who escaped from Camp Heflin, Alabama, and sought asylum in Ohio.

After the arrest of Woodall in Cleveland, the State of Alabama took no steps to block his release on a writ of habeas corpus, but Cuyahoga County officials have fought to return Woodall to the Alabama chaingang all the way from the county court to the United States Supreme Court, and then back from the Federal District Court at Cleveland again to the United States Supreme Court.

The State of Georgia last Friday joined the Cuyahoga County officials by filing a brief as a friend of the court, asking the high tribunal to grant the petition of Sheriff John M. Sweeney of Cuyahoga County for a review of the case. The sheriff is appealing from a decision of the Sixth United States Circuit Court of Appeals, reversing the judgment of the Federal District Court at Cleveland.

The appeals court last February 11 remanded the case to the District Court for the taking of testimony and evidence upon the allegations of Woodall in his petition for a writ of habeas corpus that he was subjected to cruel and inhuman treatment while a prisoner in Alabama.

The State of Georgia, which has been repeatedly faced with similar charges against its penal system when seeking the extradition of fugitives from Georgia chaingangs, wants the Supreme Court to decide whether a fugitive must exhaust his remedies in the courts of the state from which he fled, or in the courts of the state in which he seeks asylum, before applying to federal courts for his release on a writ of habeas corpus.

In its brief, Georgia contends that "its honor as a State is at issue" and urges the Supreme Court to decide "whether it must submit to the humiliating experience of being tried in distant courts as for a criminal offense and without those procedural safeguards afforded accused individuals."

Woodall was arrested in Birmingham in October 1935. At the time he was only 15 years of age and illiterate. He pleaded guilty October 10, 1935, in the Circuit Court of Jefferson County to charges of housebreaking in the daytime, larceny and receiving stolen property.

He was sentenced to a term of 17 to 24 years at hard labor in the notorious Kilby Prison at Montgomery Alabama. He wa stransferred from Kilby Prison to Camp Heflin. After spending six years in prison, he escaped from Camp Heflin.

Woodall was arrested in Cleveland in October, 1948, on a fugitive warrant. The State of Alabama requested his extradition in November, 1948 and a petition for a writ of habeas corpus was filed in his behalf in the Court of Common Pleas of Cuyahoga County. It was denied.

On appeal, the Court of Appeals of Cuyahoga County affirmed the judgment of the common pleas court and the Ohio Supreme Court and the United States Supreme Court refused to review the case.

A petition for a writ of habeas corpus for Woodall was then filed in the Federal District Court at Cleveland.

Woodall alleged that his constitutional rights had been violated in that he was denied effective counsel in Alabama. He said he was kept in jail in Birmingham until he was brought into the circuit court there where some unknown person explained to him in the court room that the charges against him carried a life sentence and that if he pleaded guilty he would be treated leniently by the judge.

Instead of being sent to the penitentiary, he asserted, he was sent to road camp. While on the chaingang, he alleged, he was subjected to cruel, barbaric and inhumar treatment at the hands of his jailers and guards.

Woodall said he was beaten frequently with a nine-pound strap of five prongs with a silver half-rollar at the end of each prong, which inflicted deep wounds about his head, face, body and legs, causing permanent ugly scars. During these beatings, he added, he frequently lost consciousness and was denied food or medical care after the beatings.

Woodall also alleged that he was given the "gravel treatment." This treatment was described as the placing of a prisoner in a gravel pit covered with glass, the glass was rolled back until just the prisoner's head was exposed, and the prisoner was beaten over the head until he lost consciousness.

Woodall also alleged that stripped to the waist, he was forced to work in the hot, broiling sun from sun-up to sun-down.

He said he feared for his life if he is returned to Alabama.

Woodall's story was supported by affidavits made by a number of persons who have served time in Kilby Prison and in Alabama road camps, including Haywood Patterson, one of the nine "Scottsboro boys," who spent two years in a death cell at Kilby Prison.

In his affidavit, Patterson said he had seen "convicts become paralyzed" from whippings. He said he "went under the leather" three or four times. Patterson also corroborated the gravel pit story.

The District Court dismissed Woodall's petition last February 12, holding that any relief granted Woodall would have to be granted in the State of Alabama and before the Federal District Court at Birmingham would have the right to consider his petition, the remedies in the courts of Alabama would have to be exhausted.

The United States Court of Appeals set aside that decision, and from the decision of the appeals court Sheriff Sweeney appealed to the United States Supreme Court.

Representing Sheriff Sweeney are Frank T. Cullilan, prosecuting attorney of Cuyahoga County, and Gertrude M. Bauer, assistant prosecuting attorney.

The brief for the State of Georgia was filed by Eugene Cook, Attorney General of the State; M. H. Blackshead, Jr., Deputy Assistant Attorney General; Larmar W. Sizemore, Assistant Attorney General, and W. Dan Greer, an attorney.

ALABAMA FUGITIVE MUST BE RETURNED

High Court Rules Against Negro Fighting to Stay in Ohio —Douglas Dissents

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 17—Over the vigorous protest of Justice William O. Douglas, the Supreme Court held in an unsigned opinion today that Robert Woodall, a negro, must be returne dfrom Ohio to complete a prison sentence in Alabama.

Woodall, convicted of burglary and larceny, escaped from the Alabama State Penitentiary and was captured in Cleveland. Since then he has fought extradition on the ground that he would suffer "barbaric and cruel treatment" if sent back.

The Supreme Court, however, held Woodall had not shown that "relief is unavailable to him" in the Alabama courts. The high bench also found that Woodall, "a fugitive from justice," had asked a Federal court in Ohio to pass on the constitutionality of his incarceration in Alabama, though that state was not a party to the case, and he had not tried to raise the question in alabama.

Opposing the Supreme Court's action, Justic Douglas said that, if the evidence were true, Woodall would have to suffer "torture and mutilation or risk death itself" to try to get relief in Alabama.

'Too Great Price to Pay'

Justice Douglass recalled assertions by Woodall that Alabama jailers had beaten him into unconsciousness with a nine-pound strap with five metal prongs, and that stripped to the waist, he had been forced to work all day in a broiling sun with no rest period.

"I am confident," the justice wrote, "that enlightened Alabama judges would make short shift of sadistic prison guards. But I rebel at the thought that any human being, Negro or white, should be forced to run a gamut of blood and terror in order to get his constitutional rights.

"That is too great a price to pay for the legal principle that before a state prisoner can get Federal relief he must exhaust his state remedies."

In another case, the Supreme Court decided, 5 to 4, that payments from National Service (G. I.) Life Insurance policies might not be made to the heirs of beneficiaries and payments must stop when the beneficiaries died.

Justice Tom C. Clark announced the majority opinion in a case dealing with a $10,000 policy held by Eugene C. Henning of Boston, a Naval reservist, who died July 1, 1945. The ruling awarded to Mrs. Clara Belle Henning of Boston the entire $10,000 payment from her son's policy.

The decision reversed the Federal District Court in Boston, which had ordered the payments from the policy divided between Mrs. Henning and the heirs of young Henning's deceased father, Otto F. Henning, and stepmother, Mrs. Bessie M. Henning. The father, original beneficiary of the policy, died five months after his son without filing a claim and Bessie died in 1949.

Texas Primary Study Set

Justice Clark held that Congress meant that beneficiaries would be alive to receive payments. He said that the "award of accrued installments to the estates of deceased beneficiaries cannot stand."

Justice Robert H. Jackson, joined by Justice Felix Frankfurter, wrote a dissenting opinion. Justice Harold H. Burton, joined by Chief Justice Fred M. Vinson, presented an opinion, partly dissenting and partly concurring.

The Supreme Court also agreed to review a protest of five Texas Negroes against their exclusion from primaries conducted by the "Jaybird Democratic Association" of Fort Bend County, Texas. For fifty-three years, the organization has held primaries for nomination of county and precinct officers.

The petitioners asserted that the Jaybird combination held its primaries shortly before the regular Democratic primaries, but that the names of the nominees were subsequently put on the regular ticket. The complainants called the association a "sophisticated device to bring about racial discrimination."

The five are John Terry, Jessie Byers, R. E. Pink Jr., Charlie Roberts and Price Jackson.

Negro Kidnaped From Detroit, Lodged in Ohio Jail, Taken South

COLUMBUS, Ohio, Dec. 30 (AP).—The strange story of the kidnaping of a Negro at pistol point from Detroit and his lodging in an Ohio jail was disclosed last night as Michigan State Police attempted to prevent the man's return to Alabama.

Michigan Gov. G. Mennen Williams telegraphed to Ohio Gov. Frank J. Lausche, imploring his aid, but the telegram reached Gov. Lausche after Gerdis Hill, twenty-one, an auto plant worker, was released from the Toledo jail in the custody of the man who transported him there.

Toledo Police Chief Ray E. Allen said a man who identified himself as Birmingham Deputy H. Batson had placed Hill in the jail. "Deputy" Batson had explained they were "in transit." He produced an Alabama warrant charging Hill with bond jumping.

Hill told the police he was accosted on a Detroit street, held at pistol point, handcuffed, and taken across the state line.

At Birmingham, Chief Deputy Wilton E. Hogan said Batson was not a deputy sheriff. A Birmingham bonding company said one of its employees, H. Brady Batson jr., had gone to Detroit to pick up a bond jumper.

The Negro reportedly had jumped a $300 bond after he was arrested for driving without a license.

Michigan had not authorized Hill's extradition and sought his return to the state. Ohio highway patrol officers said the men had ample time to get out of the state. In Toledo,

Probe 'Kidnaping' By Dixie Bondsmen

By the United Press.

TOLEDO, Ohio, Dec. 30. — Two Alabama bondsmen sped southward from here today with a Negro prisoner who charged he was "kidnaped" by them Sunday in Detroit.

Legal machinery was in motion to decide whether it was legal for Birmingham, Ala., bondsmen to arrest Gerdis Hill, 21, at gunpoint in Michigan to face a $300 bail-jumping charge in Alabama.

Gov. G. Mennen Williams of Michigan said last night he believed the bondsmen had no authority to arrest Hill in Detroit without an extradition warrant. He asked Gov. Frank Lausche of Ohio to hold the prisoner for return to Michigan.

Gov. Lausche, however, said he doubted if there was anything he could do. The bondsmen and their prisoner left Toledo last night and probably were out of Ohio by today.

Hill, lodged Monday night in a Toledo jail, telephoned his landlady in Detroit that he had been "kidnaped." He said the bondsmen forced him into their car at gunpoint Sunday and they had no extradition warrant.

The landlady notified Detroit police, who contacted the FBI. Federal agents announced that the bondsmen broke no federal law in the Detroit arrest.

13b 1952 (Alabama) (Ohio)

SUPREME COURT RETURNS BLACK MAN TO ALABAMA CHAIN GANG DESPITE SHOCKING EXPOSURES

Defendant Alleges He Was Forced to Serve As Female for Homo-Sexual Prisoners

JUSTICE DOUGLASS REBELS AGAINST DECISION

13b (Ala) (Ohio)

WASHINGTON — (ANP) — The U. S. Supreme court ruled last week that one state has the privilege of returning a prisoner to the state of his crime without interference from the Federal courts.

The decision was made in the case of Robert Woodall a fugitive from an Alabama prison road gang where he was serving time for burglary and larceny.

The 34-year-old fugitive has been fighting extradition to Alabama for four years on the grounds that he would receive "barbaric and cruel torture" if sent back to finish his sentence.

Eight of the nine justices agreed that Woodall's charges could be settled in the courts of Alabama after he had been returned to the custody of that state.

The opinion stated that the claim of unconstitutionality of Woodall's treatment must be tested in the state courts and not the federal judiciary.

Woodall, who is now in prison in Cleveland, claimed that he had been "brutally mistreated" in Alabama.

In the dissenting opinion, Justice William O. Douglas expressed his rebellion "at the thought that any human being, Negro or white, should be forced to run a gamut of blood and terror in order to get his constitutional rights.

He claimed that Woodall offered to prove he was beaten with a 9-pound strap with five metal prongs, forced to work in the broiling sun without rest, and that he was forced to serve as a "gal-boy" or female for the homo-sexuals among the prisoners.

If this case is accurately protrayed, stated Douglas, it is "shocking."

13b 1952

(Florida) (Illinois)

CHICAGO'S PEONAGE ATTORNEY SCORES AGAIN AGAINST FLORIDA SHERIFF WHO WHIPPED WOMAN

Dixiecrat Official Drops Case When Suit For $50,000 Looms

VICTIM SAYS HE FLED TO DODGE MOB

13b (Fla. Ill.)

CHICAGO — (ANP) — Atty. William Henry Huff, famed peonage attorney of Chicago, recently won another victory for fugitives from injustices.

The victim in this case was Lavern Singleton, who for seven years has been fleeing from a sheriff in Titusville, Brevard county, Fla. When Atty. Huff let it be known that he intended to file a $50,000 damage suit against the sheriff for assault and battery upon Singleton, the sheriff's office dropped the case.

A letter from the local FBI, which entered the case because of a federal law against fleeing in interstate commerce to avoid arrest and prosecution, stated:

"Our Miami office had advised us that this individual is no longer wanted either by the FBI or the Brevard county sheriff's office at Titusville, Fla."

Singleton became involved in a fight with a Titusville sheriff in July 14, 1945. After the fight, he fled. He gave his reason for fleeing the fact that a mob was forming and he was afraid of being lynched.

According to an account of the fight, Singleton was a bystander who objected to seeing a colored woman beaten by a white sheriff.

He was standing on the sidewalk when a Negro couple, Doris Williams and his wife were preparing to go to a show in a town about 18 miles away.

A policeman walked up and told Williams and his wife that they were under arrest. Williams ran and the policeman grabbed his wife by her hair and dragged her to his car.

Singleton objected and the policeman, according to him, said "nigger you don't tell me what to do." He then started beating Singleton with a stick leaving two scars. A cousin and a friend of Singleton joined in the fight.

Hearing that a mob was forming, Singleton left the city. He first went to Tampa, Fla., then to Detroit, Mich., Toledo, Ohio, and later to Chicago.

Oct. 5, 3, 52

After being informed that the FBI was looking for him, he contacted Atty. Huff. In explaining his decision to flee from the scene of his trouble, Singleton said:

"I did not leave Florida to avoid arrest and prosecution, I left in order to avoid being lynched by the mob that was forming for that purpose.

"I am certain that had I remained in Florida, I would have been lynched for defending myself against the merciless attacks of the officer of the law."

His cousin who came to his aid was not so fortunate; he was convicted and sentenced. The late Harry B. Moore of Mims, Fla., who was the victim of a bombing at his home Christmas night, helped to defend him.

Attorney Huff Saves Man From Extradition

Moved to Dec

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Thurs 1-24-52

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N. Y. Man Fights Extradition to Georgia



George Claybon, second from left, is fighting in New York Supreme Court an attempt to extradite him to a Georgia prison camp from which he escaped last June after serving 12 years of a life sentence. He was convicted in 1939 for allegedly shooting to death a 71-year-old cousin of Gen. Robert E. Lee solely on the testimony of a white woman who was serving a seven-year robbery sentence. She was freed and given part of reward for "solving" the shooting. Left to right: NYC correction officer Barney Iverson (with hat), and defense counsel Reuben Terris. The case is set for May 19 in Supreme Court.

13b 1952

(Louisiana) (California)

Ex-GI Residing In Los Angeles Beats Dixie Rap

Courier P. 5
Pittsburgh Pa.

Wins Fight Against Extradition to Town In Louisiana; Veteran Now Concerned Over Safety of Mother and Aging Grandfather

LOS ANGELES — With ominous news ringing in his ears that his mother and aging grandfather in Bogalusa, La., had been threatened by a sheriff unless he returned to face trial for the death of a 3-year-old white child, Vernon Lee Foster walked out of Municipal Court here last week a free man after winning his fight against extradition.

In Bogalusa, his hometown, Foster's mother had told NAACP officials: "We're so scared we're afraid to sleep at night, but I'd rather die, if I must, than have them kill my boy." She said the District Attorney had asked her to request her son to return to Louisiana.

Dat. 3-22-52

"The sheriff has threatened my aging father and me," Mrs. Lena Mae Foster told the NAACP. "He said unless we write and ask my boy to come back peaceably there would be trouble for us. I'm frightened."

Across the continent here in Los Angeles, Atty. Edward C. Maddox, defense counsel, buttressed moves made in preliminary hearings by Atty. Rayfield Lundy, who represented the 23-year-old war veteran at that time. Attorney Maddox went into Municipal Court Division Four and there entered a dramatic plea asking that Foster not be forced to return to Louisiana.

During the arraignment no officers from Louisiana were present and the judge of the court granted Attorney Maddox's plea, giving Foster his freedom. However, there is a probability that Louisiana authorities may seek to reopen the case for a new hearing at a later date.

* * *

YOUNG FOSTER had been accused of being responsible for the Oct. 18, 1949, death of Richard Douglas Giacone, age 3, by running the child down with a truck he was driving.

However, an inquest report signed by the child's father, Jasper Giacone, stated that the accident was unavoidable and that the child had sustained the fatal injuries when he ran into the truck's path.

Foster told the NAACP here that following the inquest and that report he had assumed his innocence in the affair. Governor Earl Warren had signed extradition papers early last week, but a last-minute appeal by the NAACP gave Foster an opportunity to win his freedom.



13 b (La) (Calif)
Courier P. 5 Pittsburgh, Pa.
Dat. 3-22-52

Freed!—Vernon Lee Foster, 23, is pictured with Atty. Rayfield Lundy who defended him during the preliminary stages of his extradition fight with Louisiana authorities in Los Angeles. Atty. Edward Maddox was serving as defense counsel when the case was dismissed. Standing is Foster's uncle, Malachi Monday.—Tab Photo.

Top Extradition Expert Wins Case Number 86

None of the thousands of race men and women were as happy as James Lee Scott who had been indicted by a Grand jury in Starkville, Mississippi for the alleged crime of stealing a cow from a Mrs. Addie Pearson. Scott had come to Chicago in October, 1951, bringing his family of a wife and six children, the oldest of which being twelve years of age.

His attorney, William Henry Huff in examining him before Chief Justice Joseph A. Graber of the Criminal Court of Cook County, brought out the fact that this relator knew nothing about the theft of the cow until the police of Chicago approached him in March, 1952, with a warrant charging him with being a fugitive from justice.

Attorney Huff also brought out the fact that the warrant claimed that Scott stole the cow on or before Ocober 16, 1951, and informed the court that such statement was what is known as a catch-all, that if Scott, or anyone, had stolen the cow, Mrs. Pearson would have known on or about the day the cow was stolen.

He also brought out that another child had been born in Chicago making a total of seven young children by James Lee Scott and that to send him back to the State of Mississippi upon such flimsy indictment would in itself be a gross injustice not only to Scott but to the wife and seven small children.

Attorney Huff brought out too, that Scott has been gainfully employed ever since he has been in Chicago and had taken care of his family in a very fine way. Attorney Huff then moved the court to discharge the relator and the court said, "I shall not send Scott back to Mississippi on such indictment as the one mentioned." Scott went free and he is happy. So is his wife, his children, and his attorney, William Henry Huff, the nation's top extradition expert.

Lawyer Outwits Mississippi Law

CHICAGO — (ANP) — William H. Huff, noted peonage attorney and poet, recently succeeded in winning another extradiction case here. His latest victory prevented the state of Mississippi from having a young colored father of six children returned to face charges of stealing a cow.

James Lee Scott had been indicted by a grand jury in Starkville, Miss. for supposedly stealing a cow from a Mrs. Addie Pearson. According to Huff, when he examined Scott in Criminal court here, Scott knew nothing about the theft of the cow until Chicago police served him a warrant charging him with being a fugitive from justice.

The theft supposedly occurred in Oct. 7 1951, and the warrant was served Scott in March, 1952. Huff pointed out that the warrant claimed that Scott stole the cow on or before Oct. 16, 1951, and informed the court that such a statement was what is known as a catchall, that if Scott, or any one, had stolen the cow, Mrs. Pearson would have known on or about the day it was stolen.

White Says Gov. Stevenson Did Not Refuse Extradition To Negro Fugitive Of State

BY THE ASSOCIATED PRESS

Gov. Hugh White declared today that democratic presidential nominee Adlai Stevenson did not refuse extradition of a Negro fugitive to Mississippi during his first term as Governor of Illionis.

The matter of the Negro — Gov. White could not identify the fugitive — has come up several times in reference to Stevenson's presidential candidacy.

The claim has been made that Stevenson during his first term as Illinois' chief executive refused to extradite a Negro fugitive to Mississippi on request because he did not think the Negro could get a fair trial in this state.

Former Lt. Gov. Sam Lumpkin referred to it in a speech before democrats for Eisenhower recently. Speaker of the state house of representatives Walter Sillers mentioned it in a meeting of the Democratic resolutions committee, and a Jackson man, Cliff Waterhouse, wrote the claim in a letter to Gov. White published in a Jackson newspaper.

White said today that the facts are these:

A Negro escaped from Mississippi during the term of Gov. Fielding Wright and was later found in Chicago. Mississippi authorities asked for his return — extradition — as a fugitive from justice.

The Negro appealed to a federal judge — not identified — in Chicago and the judge refused to permit his extradition on grounds that the Negro could not get a fair trial in Mississippi.

White showed reporters a letter from Gov. Stevenson's office denying the report and stating that "Gov. Stevenson has at no time refused to extradite any fugitive on proper request from another state."

The Governor said the attorney general's office recalled the incident and said it was a federal judge — not Gov. Stevenson — who refused to extradite the Negro.

JUDGE BLOCKS RETURN OF MISSISSIPPI NEGRO

Thinks He Would Be Beaten At Parchman

ESCAPED NINE YEARS AGO

PITTSBURGH, July 14.—(AP)—A judge refused Monday to send a Negro fugitive back to a Mississippi penitentiary from which he escaped in 1943. The judge ordered his immediate release.

Judge Henry Ellenbogen said Everett Hatton would receive "cruel and brutal treatment as to endanger his life" if he was returned to Parchman, Miss., state Penitentiary.

Hatton, now married and the father of two children, testified he was beaten repeatedly during the 13 years he served before his escape.

Sentenced To Life

Hatton was arrested in 1930 in Jones County, Miss., on charges of burglary and attempted rape and sentenced to life imprisonment. He said he had no attorney and no jury during his trial. Pittsburgh police arrested him recently for asault and battery and made the identification.

Judge Ellenbogen said:

"We find that, while imprisoned, the petitioner (Hatton) was a victim of cruel and inhuman physical punishment."

Pittsburgh Ruling Appeal Is Filed

Special to The Commercial Appeal

PARCHMAN, Miss., July 14.—A State Penitentiary official indicated here Monday that Mississippi has not given up its fight to gain custody of a Negro who escaped from the prison farm here in 1943 and is now in a Pennsylvania jail.

Hugh A. Craig, classification officer, said an appeal to a higher court was filed immediately after Judge Henry Ellenbogen of Pittsburgh ordered the release of Everett Hatton and said the Negro's life would be endangered if he were returned to Mississippi.

Mr. Craig labeled court testimony by Hatton that he had been beaten repeatedly during his 13 years in Parchman as "untrue."

"The records don't show that Hatton was beaten at all but I've been informed by two of his fellow prisoners that they believe he was punished with the strap on one occasion for an infraction of prison rules.

Was A Trusty

"These prisoners told me that Hatton got along well here and behaved himself prior to his escape. He was a trusty at the time of that escape," Mr. Craig said.

The classification officer said he had just returned from Pittsburgh where he testified at the trial.

"The newspapers in the North are making a big issue of the trial and the National Association for Advancement of Colored People is taking a hand in Hatton's behalf," Mr. Craig said.

He added that Assistant Dist. Atty. Albert Fiok of Allegheny County is handling the case for Mississippi and has appealed Judge Ellenbogen's decision to a superior court in Philadelphia. He said Hatton will remain in custody until the higher court hands down its ruling.

Refuses To Send Negro Fugitive Back To Parchman Due To 'Cruel Treatment'

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"We find that, while imprisoned, the petitioner (Hatton) was a victim of cruel and inhuman physical punishment."

13b 1952 (South Carolina) (California)

Refuse To Return Man To 'Southern Justice'

LOS ANGELES — J. G. Jeter, who fled the state of South Carolina two years ago, to escape the wrath of "Southern justice," learned in Municipal court here last Monday that he would not be forcibly returned to Spartanburg to face charges of threatened simple assault and escape.

Several months earlier, his attorney, Walter Gordon, jr., head of the firm of Gordon, Schaffer and associates, asked Gov. Earl Warren to stay the execution of a fugitive warrant under which local authorities were holding Jeter for South Carolina officers. He was accompanied on the trip to Sacramento by Assemblyman Byron Rumford of Berkeley.

Fled From South

Jeter fled South Carolina, leaving behind his eight children. He told newsmen he had been engaged in an argument with a white farmer for whom he was hired to pick peaches. Jeter said the farmer refused to pay him for one box and threatened to beat him with a stick when he persisted in getting his pay.

The accused man said he disarmed the farmer and the latter paid him and he left the place. That afternoon, Jeter said, he observed a police car coming toward his home. When he opened the door to go out to meet them, the officers immediately opened fire on him, he said. Jeter said he fled the place and made his way to California. Since arriving here he has been steadily employed and is an usher in Cornerstone Baptist church here.

Officials Widen Search For Accused York Negro

YORK, Ala., March 11 (AP)—Sheriff C. H. Scott today reported that no trace had been found of a Negro accused of shooting to death a 35-year-old white man.

Aubrey Barfield, a lumber company employe, was shot twice Sunday when he went to the home of John Nixon, 40. Police Chief Moody Allen said both men had rifles but only Nixon fired.

Nixon has been charged with murder. Chief Allen said Barfield had gone to Nixon's home to collect $10 that he claimed the Negro owed him.

Sheriff Scott said bloodhounds from Atmore State Prison Farm followed Nixon's trail Sunday night but finally lost it. The officer said Nixon may have escaped by catching a ride from the section.

$1240 rewards offered for slayer of Negro girl

MOBILE, Ala., Feb. 22—(AP)—Rewards totalling $1240 have been offered by white and Negro contributors for capture of the murderer of an 11-year-old Negro girl.

Betty Jean Bunn was stabbed to death in a brutal slaying while baby-sitting in the Prichard home of her aunt.

The state and the city of Prichard offered $250 each. Churches, civic clubs and business organizations had added to the total.

The unidentified killer so far has evaded an intensive search.

Rewards Offered For Ala. Killer

MOBILE, Ala.—The reward for the slayer of Betty Jean Bunn, 11, had risen to $2,140 here Feb. 21 through contribution by Negro and white citizens.

This new spurt was set off by rewards of $250 coming each from the state and the city.

Several weeks ago, this child was brutally murdered while baby sitting for her aunt.

Electric chair claims Negro convicted of slaying near Mobile

MONTGOMERY, Ala., May 9—(AP)—A 23-year-old Negro slayer calmly told a crowd of witnesses, "I hope I make it in" to heaven and then died early today in the electric chair.

Leveret Forrest paid with his life for the killing of a white man near Mobile in November, 1950.

His only comment was: "I hope I made it in. I hope I see you all up there. I got no hard feelings against nobody. If you gotta go, you gotta go."

For perhaps the first time since the electric chair was installed at Kilby Prison, only one shot of electricity was used for the execution instead of the usual two.

Another Negro who was scheduled to die with Forrest beat the rap when Gov. Gordon Persons commuted his sentece to life imprisonment late yesterday.

EDDIE THOMAS, who once admitted raping a white woman in Jefferson County then repudiated it, had his death sentence commuted to life imprisonment.

Thomas' attorney, Norman Brown of Bessemer, insisted the identification was too flimsy to let the Negro be executed.

Forrest was given the death sentence for killing Ulysses L. Alberson near Irvington, Ala., in November, 1950. The state gave evidence showing that he sold some cattle to a Mississippi buyer shortly after Alberson's death.

FORREST SAID the slain man operated a whisky still in Mobile County and that he helped him later, he added, he quit but the man balked at paying for his work.

He said Alberson threatened him on a visit to the farm and went toward his automobile where he kept a gun. Forrest claimed he shot him in self defense.

Mrs. Butler Wins $10,000 In Suit For Mate's Death

BY MARCEL HOPSON

Mrs. Allie Glass Butler, widow of the late Rev. (Captain) L. Butler who was shot to death in 1948 by deputies employed by the Tennessee Coal and Iron Division of U. S. Steel Corp., was awarded a $10,00 damage judgment from the company, Wednesday, April 9, in Circuit Judge C. B. Smith's court.

Mrs. Butler sued for the death of her late husband, the Rev. Mr. Butler, 53, a coal miner, former labor leader, and former pastor of the First Baptist Church of Gary-Ensley.

A jury reportedly deliberated only seven minutes before returning a verdict against the company in favor of the widow.

ORIGINAL SUIT $50,000

In her suit, in which she sought $50,000 damages filed through her attorney, Bryan Chancey, the widow charged that on June 5, 1948, the defendants Paul B. Thomas and J. A. Vanderford, while acting within the line and scope of the defendant Tennessee Coal, Iron and Railroad Company, allegedly shot and killed her husband, Rev. (Captain) Butler, wrongfully.

Atty. Chancey charged that the two TCI deputies and two other Jefferson County deputies had no proof that they shot the minister "in self-defense."

He charged further that the accused pair failed to produce the gun which they claimed the veteran of twenty-five years service in the TCI mines was charged with allegedly drawing on the four white men.

During the two-day hearing, the accused deputies contended that someone had delivered a note to a white girl and allegedly told her to meet him by a certain garage in Edgewater. They claim they were waiting at that garage when Rev. Butler reportedly walked by. They claimed the minister drew a pistol on them and they shot in self-defense.

At the time of his death, Rev. Butler, father of 13 children, and a grand-father of eight, worked in the Edgewater Coal Mine, and lived on Route 6, in the community known as Capstown.

A staunch union man and Bible-reader, the colorful leader was formerly vice-president of the Edgewater Local of the United Mine Workers of America. His death made him the eighth Negro citizen killed in the Birmingham area within 70 days.

Mrs. Butler demanded a trial by jury, at the outset of the suit, purposely to seek out and bring into court all persons causing (or directly connected with) the death of her late husband.

Both Negro and white miners, following the shooting, went on "a walkout" in about six mines in obvious protest over the shooting of the Rev. Butler.

Negro given chair for night burglary

A Negro charged with nighttime burglary of an inhabited dwelling has been sentenced to die in the electric chair by a Circuit Court jury which deliberated 28 minutes.

Henry Washington, 25, 2102 Avenue Q, Ensley, was accused of beating Mrs. Betty Cariline Dean, when he entered her home at 109 Third-av, w, Feb. 2.

Police testified the woman, 71, was beaten into unconsciousness.

Deputy Solicitor Willard McCall prosecuted the case before Circuit Judge Alta L. King.

Judge King granted a stay of execution of the sentence to allow Washington's attorneys to file an appeal. Under Alabama law the State Supreme Court must review all cases in which the death sentence is given.

Farm couple shot fatally, Blackbelt slayer hunted

Violent death had claimed the lives of three Alabamians today.

The bodies of a widely known Butler County farm couple, Mr. and Mrs. Oscar Spears, were found at their home in the Piegon Creek community, 13 miles from Greenville, early today.

A single-barrel shotgun was found beside the body of Mr. Spears, 54, as he lay on his back at the rear of his home. A .22 caliber rifle was found beside the body of Mrs. Spears, 50, lying in the kitchen of the home. The two apparently had been dead several hours when neighbors discovered the bodies about 7 a.m. today.

Bloodhounds from Atmore State Prison were waiting for the rain to stop today before resuming their hunt for John Nixon, 40-year-old Negro, wanted for questioning in the fatal shooting Sunday of Aubrey Barfield, 35, employe of the Loper Lumber Company, at York, in Sumter County.

York Police Chief Moody Allen said Nixon shot Barfield, a white man, twice with a rifle after an argument over money. The chief said Nixon owed Barfield an undetermined amount of money.

"Both men had rifles when it happened," the chief said. "but Barfield didn't shoot. Nixon shot twice."

* * *

AT GREENVILLE, Sheriff Earl Kent, who also serves as coroner, immediately started an investigation of the deaths of Mr. and Mrs. Spears. The state toxicologist's office at Auburn also was asked for assistance.

The couple lived alone in the house.

Father says he tried to have doomed son held mental case

MONTGOMERY, Ala., May 8—(AP)—The father of a young condemned Negro said today that he had tried to have his son "put away" as a mental case just a few days before the youth shot and killed a white man.

The testimony came at a clemency hearing for Leveret Forrest, 23, who is scheduled to die in the Kilby Prison electric chair early tomorrow morning, along with another Negro, Eddie Thomas. Another mercy hearing for Thomas was scheduled this afternoon.

The Rev. Guy Forrest, a preacher who works during the week at a Pascagoula paper mill, told Asst. Atty. Gen. William N. McQueen that his son had been "peculiar" all his life and "he just ain't got his right mind."

HE SAID THE YOUTH threatened him and that he asked Frank Gibson, clerk of Inferior Court at Mobile, to issue a warrant to put Leveret Forrest in custody. But he said Gibson told him to "get a stick and knock him down."

The condemned Negro was sentenced to death for killing Ulysses L. Alberson in November, 1950. His father said he had tried to get a warrant against the son just a few days before then and that he himself predicted the young man would get in trouble unless some action were taken.

The condemned Negro told McQueen the slain man operated a whisky still in Mobile County and that he worked for him. He said he quit, but had difficulty getting money that Alberson owed him.

During one visit to Alberson's place, he related, the white man threatened him and started for an automobile where he kept a gun. Forrest said he shot him in self defense.

Explaining the sale of cattle that belonged to Alberson, the Negro said the man had told him to find a buyer for two cows so he could get money to pay his back wages. After the killing, Forrest continued, he sold the cattle and kept the money because, he explained, Alberson never did pay him.

A hearing for the other condemned Negro, Thomas was to be held this afternoon.

Thomas first admitted he raped a woman in Jefferson County in 1950, but later repudiated the confession, contending it was taken from him illegally. His attorneys also argued that Negroes were systematically excluded from the jury that tried Thomas, but the State Supreme Court said it found no evidence of that.

In fact, the court said, one Negro was on the jury panel that week but got off at his own request.

Man who advanced on policeman with knife shot to death

A Negro who advanced on two policemen with a knife was shot and killed by them, Coroner Joe Hilderbrand said today.

He said the death of Collins Coleman, 38, 3941 12th-av, n, was justifiable homicide.

The coroner said Officers J. W. Watkins and J. L. Jordan were forced to fire on the Negro while answering a complaint call shortly before 7 p.m. yesterday.

* * *

HE SAID the officers arrived at Coleman's home and were told that he had knocked down his wife on several occasions, then chased her into a near by home.

Coleman was armed with a souvenir Japanese dagger, Hilderbrand said.

The coroner said Watkins and Jordan tried to talk Coleman into surrendering and fired several shots into the ground and gave way to him before shooting him when he advanced with the knife.

White Trio Given Heavy Sentence

TUSCALOOSA, Ala. — Three Tuscaloosa county white men were given heavy sentences last week for an assault against a Negro.

Joe Buck Willingham, James Willingham and Sam Sartain were fined $500 each and sentenced to six months at hard labor. They were convicted for assault with intent to murder in an attack last September against Raymond Jefferson.

Slayer Of Mobile Couple Seeks Freedom

MOBILE, Ala.—A 30-year-old white man, charged with the shotgun slaying of a couple in a tavern here June 20, went to the Alabama Court of Appeals last week seeking freedom.

An alleged black and tan clandestine love affair is rumored to have caused the double slaying.

The slayer, Theodore Easley, was indicted by a recent grand jury on two murder charges in the shooting of Mrs. Elnora Palmer, 27, and Henry Hatch, 23, as the two sat at a table in a tavern.

Easley attempted to secure his release from the county jail last month by filing a writ of habeas corpus. He was denied bond.

Easley, who operates a cafe about half a mile from the scene of the killing, trailed the couple from his place to the tavern, and shot them down.

3 Children Slain, Sister Assaulted, Baby Is Missing

EUTAW, Ala., Sept. 22—(AP)—Three Negro children were killed and their 11-year-old sister assaulted near here tonight, the highway patrol said.

A 3-month-old child is missing, and an extensive search was underway.

Bodies of the three children were found in a creek near their farm home in the Mt. Hebron community near here when their parents returned from working in the fields.

The Highway Patrol identified the dead as Ira Posey, 5; Ollie B. Posey, 8, and Mattie Jean Posey, two.

Lassie Posey, 11, was taken to the Demopolis hospital and is under treatment for assault.

Fourth Eutaw child is safe; aunt jailed in death of three

EUTAW, Ala., Sept. 26—(AP)—A Negro baby was found safe yesterday with an aunt who admitted kidnapping the child Monday after killing three other children and leaving a fourth for dead, Sheriff Frank Lee said.

The sheriff said 3-month-old Cullan Mae Posey, her hair clipped to resemble a newborn infant, was found in bed at Birmingham with her aunt, Mattie Smarr, 27.

The aunt has a "psychotic personality," Sheriff Lee said, and took the baby because she wanted a child of her own.

Her yearnings led her to feign pregnancy to relatives and friends, even to stuffing pillows in her clothing to heighten the illusion, Lee said.

HE SAID THE 155-pound woman at first denied slaying her brother's three children, but confessed after intensive questioning.

Lee said the woman gave this account of the tragedy which struck the home of Willie Posey in nearby Mt. Hebron:

Returning to her brother's home after a week-end visit, she took the four children to a creek some distance from their farm home.

She drowned 2-year-old Jean Posey in the creek, then struck 8-year-old Ollie in the face with a stick and tossed her in the water.

She suffocated Ivry, 8, by sticking his head in the soft mud of the creek and standing on him. She attempted to kill Lassie, 11, by bashing her head against a tree.

The child survived but is still unconcious at a hospital.

WHEN arrested in Birmingham, Sheriff Lee said Mattie Smarr at first insisted she had just given birth to Cullan Mae. An elaborate bassinette, evidently bought some time ago, was in the room.

The aunt, who is married, was arrested after Lee and other officers acted on a tip that she had been seen in Eutaw with a child in her arms.

Murder charges were filed against her in all three deaths. A special Grand Jury is being considered to take up the case.



Held as slayer—Mattie Smarr.

Negro Admits Slaying 3 Tots

EUTAW, Ala., Sept. 25 (AP)—A Negro woman whose longing for motherhood led her to fake pregnancy admitted today she kidnaped a 3-month-old niece after killing three of its brothers and sisters and bashing another's head in.

Mattie Smarr, 27, was arrested at her home in Birmingham early today. The missing baby, unharmed, was in bed with her, said Sheriff Frank Lee.

Lee said the 27-year-old, 155-pound aunt at first denied having anything to do with her brother's three children, but later confessed after intensive questioning.

Although the woman gave no motive, the sheriff said "she just wanted that baby and couldn't have been anything else."

He described her as a "psychotic" whose desire for a baby caused her to pretend to relatives and friends that she was pregnant.

Sheriff Lee said the woman gave this lurid account of the killings:

Returning to the home of her brother, Willie Posey, after a week-end visit, she took the four eldest children to a creek some distance from their farm home.

She threw 2-year-old Jean Posey into a creek, drowning her. Then she struck 8-year-old Ollie in the face with a stick and tossed her into the water.

Shoving 5-year-old Irvy into an oozy mud bank head first, she stood on him until he suffocated. She attempted to kill 11-year-old Lassie by bashing her head against the roots of a sycamore tree, but the child lived. She is still unconscious in a hospital at nearby Demopolis.

Lee said murder charges were filed against the woman in all three deaths. A special grand jury was being considered, but no immediate action was taken.

The sheriff said the aunt told conflicting stories at first about the baby she had in bed with her when arrested. She even insisted for a time that she had given birth to the child just a short time before.

Acting on a tip that the aunt had been seen in Eutaw the morning after the killings with a baby in her arms, Lee and other officers found her at her home in Birmingham early this morning. The sheriff said she first told him the child was a newborn baby boy. Its hair had been cut off to resemble a younger baby.

In the room with them sheriff related, was a "beautiful bassinette" she evidently had bought some time ago.

Sheriff Lee said his only explanation is that the woman, who is married, "apparently had a psychotic desire for a child of her own."

Accused Negro Child Slayer Pleads Insanity

EUTAW, Ala., Sept. 29 (AP)—Mattie Smarr, 27-year-old Negro charged with murdering three of her brother's small children, today pleaded innocent by reason of insanity.

She said she was not in her right mind when she killed the children, left another for dead and abducted their 3-month-old sister.

The defendant was arraigned before Circuit Judge Emmet Hildreth on the murder charges alone. She is also charged with kidnaping and assault with intent to murder.

Judge Hildreth scheduled the trial to begin Thursday, 10 days after the woman admittedly killed the children. A fifth child, 11-year-old Lassie Posey, is still in a semi-conscious condition at a hospital in Demopolis. She is expected to recover.

A special grand jury met last Saturday to return indictments against the Negro woman.

Sheriff Frank Lee blamed the woman's actions on what he called a "psychotic" desire for motherhood.

He quoted her as saying she attacked the children so they wouldn't tell on her for taking their tiny sister.

The baby, Cullan Mae Posey, was found unharmed when her aunt was arrested at her home in Birmingham last Thursday.

Insanity is defense in slaying of three

EUTAW, Ala., Sept. 29—(AP)—A Negro woman pleaded innocent by reason of insanity today in the slaying of her brother's three children.

Mattie Smarr, 27, was arraigned before Circuit Judge Emmett Hildreth and her trial set for 9 a.m. Thursday of this week, just 10 days after she admittedly killed the three small children, kidnaped another and left a fifth for dead.

SHE WAS INDICTED at a special session of the Greene County Grand Jury, Saturday, but her trial will come during the regular Fall term of court, which opened today.

The woman was arraigned this morning only on the murder indictments and not on the kidnaping and assault with intent to murder charges also returned against her by the Grand Jury.

Sheriff Frank Lee explained that arraignment is unnecessary on the kidnaping and assault counts since neither carries the death penalty.

Grocer Is Killed By Baseball Bat

MOBILE, Ala., Nov. 21 (AP)—An unidentified young Negro man was being sought tonight in the baseball bat slaying of an aged grocer.

Isadore Loeb, 83, died in City Hospital last night about five hours after the attack. A bloody baseball bat was found near the store.

Police Detective Charlie Nall said Loeb had been robbed of several cartons of cigarets, but apparently no money was taken.

A neighbor found Loeb lying in a pool of blood on the floor of his small store on Mobile's South Side. A small boy told Nall he saw a young Negro man running from the store.

Loeb's family said they tried unsuccessfully to get Loeb to close his store after three previous robbery attempts during the past six months, but that he refused to do so.

He was robbed of $20 in May, and beat off a robbery attempt in October. He thwarted a robbery attempt last March by pretending to be deaf.

Negro Youth Is Charged With Murder Of Grocer

MOBILE, Ala., Dec. 4 (AP)—A 19-year-old Negro was charged today with the bludgeon slaying of an 83-year-old grocer Nov. 20.

Matt Jenkins Jr. was charged with murder in the death of Isidor Loeb, climaxing an extensive police investigation.

The aged grocer died at a local hospital after he was struck during a holdup. Near the scene police found a baseball bat believed to have been the death weapon.

Woman Slays 3 Tots, Wanted Baby

Confession Ends Ala. Posse's Search For Crazed Madman

EUTAW, Ala. — Police here say the crazed madman who murdered three young children and kidnapped a babe in arms is not a man but a young woman, relative of the slain tots with an insane desire to have a baby.

Thus a bloodhound-led posse chase came to an end here last week when a local sheriff arrested Mrs. Mattie Smarr, 27, at her home in Birmingham and found the missing baby in bed with her unharmed.

Sheriff Frank Lee said that Mrs. Smarr admitted kidnapping the three-month-old child after killing three of its brothers and sisters and bashing another's head

Drowned 2 Tots

Lee charged Mrs. Smarr with drowning Ola B. Posey, 8, and sister, Jean, 2, and with suffocating Ira Posey, 5, by thrusting his head into the mud bank of a creek. They were the children of Mr. and Mrs. Albert Posey.

He also charged the woman with beating Lassie Posey, 11, into unconsciousness, and tenderly carrying the baby of the family to her home where she had prepared a "beautiful bassinet" for the child.

Lee said the woman, who has no children of her own, apparently had a "psychotic desire" for a baby and committed triple murder to get one. Mrs. Smarr had visited her relatives and showed "great affection" for the parents' three months old baby, Cora Mae, the sheriff said. He added that the woman "fondled" the baby during the stay.

The parents of the victims, were away from home picking cotton. When they returned, they found the bodies of the children along the creek near their home. The baby was missing.

Said Baby Was Hers

Suspicion was first cast on Mrs. Smarr when she left immediately after the slayings to return to Birmingham. When the sheriff and his men first found her, she insisted the baby was her own and had been born this week. Sheriff said Mrs. Smarr had clipped the baby's hair to give her a newborn appearance.

The Posey family defended Mrs. Smarr until they saw their baby. Apparently they could not believe she did it, Lee added. The sheriff said she then confessed that she killed the three children. Although Mrs. Smarr gave no motive, the sheriff said, "she just wanted that baby. It couldn't have been anything else."

He said her desire for a baby caused her to pretend to relatives and friends that she was pregnant, stuffing pillows in her clothing to give the appearance of pregnancy.

White Man Tries To Explain Why He Shot Colored Boy

A white man was attempting to explain to police and neighbors this week just why he opened fire with a rifle on a boy last Saturday.

The man was identified as Charles Horn of 288 North 36th Avenue.

The wounded boy was listed as 16-year-old Raymond Flemming, of Route 7, Box 5302, city, who was run over by a car after being shot, police said.

Horn, in giving his account of the incident, said that on Friday night after returning from a football game he and his son allegedly saw someone outside their home. When his son went outside to investigate, the boy left. When his son returned in the house and looked through the window, he claimed the same boy had returned. He said his son then "woke me up but looked for the person and couldn't find him."

Saturday night, Horn said, he and his son were talking about the alleged visits of the unknown boy and happened to look out the window and saw someone allegedly peeping around the corner of the porch. The boy stood there looking in. Horn claimed it was the same one.

Horn said he then went and got his rifle and eased out the back door; that the boy jumped up from under their bedroom window and ran. He claimed that he told the boy to halt before he shot at him four times

Horn claimed that he then called police and began to talk to the boy. The boy claimed that he was there, Horn said, because he was "hungry." Young Flemming was lying in the curb, police quoted Horn as saying, where he jumped. An half hour later, while he waited for police, a passing car came along and allegedly ran upon the fallen youngster before it "could stop" and skinned the boy up.

Police said young Flemming had been shot in the leg, and the car ran over it and broke it.

While Flemming was under treatment at Jefferson-Hillman Hospital, this week police were still investigating the matter, it learned.

Pair Charged With Slayings

PHENIX CITY, Dec. 4 (AP) — Two young Negroes have admitted burning a home near here to conceal the slaying of an elderly couple, but each claims the other did the actual killings, State Deputy Fire Marshal Tom Hall said.

Hall said the Negroes told investigators how Mr. and Mrs. D. W. Pearce surprised them in a night robbery at the Pearce home, and how the couple were cut down with four shots from the storekeeper's own pistol.

Albert Lee (Tommy) Jones and Arthur Lee Grimes, both 22, will be charged with murder, robbery and arson in the double slaying Nov. 25 at Pearce Crossroads, 15 miles south of Phenix City, the deputy fire marshal said.

Except for which one did the shooting, Hall said the Negroes gave these identical details:

They were ransacking the combination store and residence when Mr. and Mrs. Pearce returned unexpectedly. Mrs. Pearce, 57, went into the kitchen and spotted Jones and Grimes, one on the back porch and the other trying to hide in a closet.

She screamed and was shot twice.

Pearce, 64, ran into the kitchen and was also killed with two bullets from his own pistol.

The pistol, which had been taken from a mantelpiece, has been recovered from a Negro who said he bought it from Jones for $20.

Jones surrendered last Friday to Russell County Sheriff Ralph Mathews, telling the sheriff he understood "the law" was looking for him.

Grimes was subsequently implicated, Hall said, and the pair confessed after questioning by Mathews, Lt. Joe Smelley, State Highway Patrol special investigator, and ABC Special Agent Ben Scroggins.

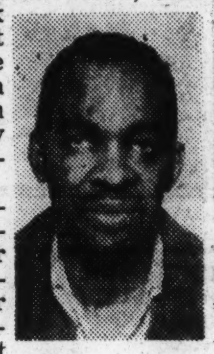
Asst. State Toxicologist W. L. Sowell said the Pearce couple had been murdered, but that the body of Pearce was so badly burned he was unable to make a complete investigation.

Last freed under Folsom—

Twice-paroled man accused of slaying mother-in-law

A two-time parolee, Sullivan Porter, 32, is back in County Jail charged with murder committed while on his second parole.

Porter last week killed Estelle Crawford, his mother-in-law, after shooting the lock from her front door after she had called a state probation officer and city police for protection.



SULLIVAN PORTER

Porter, a Negro, was first convicted in 1941 for assault with intent to murder and given a 10-year sentence. At the same time, robbery charge against him was dropped.

In June, 1945, he received a parole which was scheduled to run out Oct. 2, 1951.

IN 1949, while under that parole, Porter was working at Continental Gin Co.

He killed a fellow workman with a length of pipe while bystanders tried to stop the fight.

He was charged with murder and it was reduced to manslaughter. He was tried and given five years.

Almost exactly a year later, in the waning months of the Folsom administration, he was again given a parole despite his previous bad record.

His wife and mother-in-law hired Atty. Chester Austin to represent Porter in obtaining the parole.

RECENTLY, according to authorities, Porter threatened to kill both his wife and mother-in-law.

His wife took their small child and went to Pittsburgh.

Last week Porter allegedly went to the home of his mother-in-law and demanded to see his wife. When told she was gone he shot through the door.

The Crawford woman called a state probation officer and related Porter's threats. She was advised to call police.

SHE DID CALL POLICE, but not in time.

When the probation officer called back the phone was answered by Detectives M. H. House and R. R. Chambers.

Porter had shot the lock from the door and shot the Crawford woman through the head.

Police arrested Porter at a bus station where he had gone to catch a bus to Pittsburgh.

Records show that Porter was paroled the second time with no notice having been given the solicitor's office here.

IN ADDITION to his long prison record, Porter has been charged with vagrancy in the City of Birmingham, records show.

The total score to date:

Charged once with robbery; charge dropped.

Convicted on assault with intent to murder, 10 years.

Charged with killing a fellow workman, five years.

Now charged with killing his mother-in-law who helped him get a parole.

Total time in prison, approximately five years and two paroles.

Woman Accused Of Triple Murder Faints At Trial.

EUTAW, Ala., Dec. 8 (AP)—The trial of Mattie Smarr, accused of slaying three of her brother's children, was abruptly recessed this afternoon when the 27-year-old defendant fainted in the courtroom.

A doctor said the 155-pound Negro woman would be able to return to court in about an hour, but circuit Judge Emmett Hildreth adjourned the trial until 9 a.m. (CST) tomorrow.

The Smarr woman had the spell just as her mother, testifying as a defense witness, stepped down from the stand.

She is pleading innocent by reason of insanity. The prosecution closed its case early this afternoon.

Sheriff Frank Lee said the Smarr woman fatally beat three Posey children to death and left another for dead in an attempt to conceal the abduction of a fifth child, 3-month-old Cullan Mae Posey.

The infant was found unharmed when officers arrested the Smarr woman in her Birmingham home several days after the Sept. 22 attack on the children at their home near here.

He said she kidnaped her brother's baby because of a psychotic desire for a child of her own, and attacked the others in an attempt to conceal the abduction.

27-year-old matron left nude in mud in attack slaying

GUNTERSVILLE, Ala., Nov. 26 —Badly-battered and criminally-assaulted, the body of a 27-year-old matron was found early today in an isolated section of Bishop Mountain.

The victim, Mrs. Gladys Bryant Turner, was found nude and lying in the mud. She had been savagely beaten, according to Coroner Aubrey Carr.

Sheriff Jess Camp and the coroner announced the arrest of the woman's husband, Bob Turner, an elderly farmer. Two younger men were being sought for questioning, the officers said.

Coroner Carr said the woman's husband told him that the slain woman had accompanied him to Huntsville yesterday. They returned to New Hope, where they met two men and got them to take the Turner's to their home.

The corner said all four had been drinking.

* * *

MR. CARR said Turner told him that when the four reached an isolated wooded section near their home, one of the two men drew a pistol and threatened to kill him. They assaulted Mrs. Turner at this time, Turner told officers.

Coroner Carr said that Turner reported the men fled, leaving him with his wife. Turner told the sheriff he waited beside his wife until about midnight and then went to his home. He said he returned to his wife's side a couple of hours later and found her still alive. He told the coroner that he went to several nearby houses and attempted to get aid for his wife, the corner reported.

The corner said that Turner told him he returned to the scene of the assault later and found his wife was dead.

Authorities are checking the man's story and also looking for the two men. The body of Mrs. Turner was taken to Carr Funeral Home.

Hold White Man In Youth's Slaying

GREENVILLE, Ala.— A Butler County white man was being held in jail following the shooting of a ten-year-old Negro boy here last week. A. H. Negley, 48, was held in connection with the fatal shooting of Zeb Henry who died after being shot through the heart with a .22 calibre rifle.

Boy Held At Mobile In Woman's Slaying

Shotgun Shells Match, Sheriff Says

MOBILE, Dec. 18 (U.P.)—Sheriff William Holcombe said today that a shotgun charge which killed a young housewife at the rear of her suburban home matches shells found in the possession of a 16-year-old Negro suspect in the murder.

But the sheriff said the evidence is not definite enough to charge the boy with slaying Mrs. Willie Lee Trueblood, 22, who was beaten and shot in the temple yesterday.

Cornorer Tom Henderson said Mrs. Trueblood apparently was knocked to the ground with a gun butt and shot when she entered a marsh behind her home a few miles northwest of here.

The Negro boy, whose name was not disclosed, was arrested shortly after a neighbor's son discovered the woman's body.

The suspect was jailed on a charge of hunting without a license.

J. P. Trueblood rushed home from his job as a civilian worker at Brookley Air Force Base and joined the hunt for the slayer.

Mrs. Joseph Trehern, a neighbor, said she and Mrs. Trueblood were raking leaves when they heard gunfire behind the house. Mrs. Trueblood went to investigate the shooting and failed to return, she said.

Accused triple slayer appears dazed, as trial is delayed again

EUTAW, Ala., Dec. 10—(AP)—They couldn't get Mattie Smarr to walk into court today, and the trial of the accused Negro child slayer who had four "fits" in the courtroom was temporarily stymied.

But Sheriff Frank Lee said the trial would be resumed "as soon as we can get her there." The 27-year-old, 155-pound Negro woman is charged with killing three of her brother's children, leaving another for dead and kidnaping a fifth.

THREE TIMES yesterday and once the day before the trial was interrupted when the defendant fell out in court. The first seizure came shortly after her mother told the jury she had suffered from epileptic fits.

This morning, Sheriff Lee said, the woman appeared to be in a daze. He said she wouldn't respond to questioning and remained motionless on her bed in jail when time came for the third day of the trial to start.

"We would have had to carry her into the courtroom," the sheriff explained, so the trial was delayed until later in the day.

She first had a spell in the courtroom after the opening of the trial Monday. Judge Emmett Hildreth ordered a recess until yesterday morning.

* * *

BUT AFTER the 155-pound woman passed out during testimony yesterday morning, and again in midafternoon, he declared the trial would continue "around the clock" if necessary until the jury could retire to consider the evidence.

However, when Miss Smarr woman slumped down for the fourth time late in the afternoon, he ordered another overnight recess until this morning.

Negro Child-Slayer Sentenced To Die

EUTAW, Ala., (AP)—An accused Negro child slayer was sentenced to die in the electric chair March 20 today after a Circuit Court jury returned a guilty verdict.

The jury deliberated only about 15 minutes before convicting Mattie Smarr of the murder of 5-year-old Ivory Posey, a relative by marriage.

Judge Emmett Hildreth pronounced the sentence immediately. It will go on to the State Supreme Court for review under Alabama's automatic appeal statute for death cases.

The chubby 27-year-old woman, who had delayed the trial with "fits" in the courtroom, took the verdict calmly. She had pleaded insanity.

She was arrested in Birmingham last Sept. 25 with a kidnapped three-month-old child for the murder of three other children. All were children of a relative.

She attributed the murder-kidnapping to a psychotic desire for motherhood, according to Sheriff Frank Lee, who also quoted her as saying she killed the three children, Ivory, Ollie, and Mattie Jean Posey, to keep them from telling who had abducted their little sister.

Accused Slayer Delays Trial

EUTAW, Ala., Dec. 10 (AP)—Accused triple slayer Mattie Smarr spent the third day of her trial in bed today as judge, jury and witnesses waited in the courtroom.

Sheriff Frank Lee said the 27-year-old Negro woman "just lays there" and couldn't be gotten to the trial, which has been delayed four times already when she passed out in court.

The jury is being held together, the sheriff's office said, and proceedings will begin again tomorrow "if we can get her to court." His office said the 155-pound woman simply stares from her bed and won't answer questions or give any sign of understanding.

She is pleading innocent by reason of insanity in her trial for the slaying of 5-year-old Ivory Posey. The woman is also accused of fatally beating two other small children of her brother, Willie Posey, to conceal the kidnapping of still another child.

Her mother and husband have testified she is subject to epilepsy.

Negro woman given death penalty by jury for death of child, 5

EUTAW, Ala., Dec. 12—(AP)—An accused Negro child slayer was sentenced to die in the electric chair March 20 today after a jury returned a guilty verdict.

The jury deliberated only about 15 minutes before convicting Mattie Smarr of the murder of 5-year-old Ivory Posey, a relative by marriage.

Judge Emmett Hildreth pronounced the sentence immediately. It will go on to the State Supreme Court for review under Alabama's automatic appeal statute for death cases.

THE 27-YEAR-OLD Negro woman's trial remained at a standstill yesterday because jail attendants counld'nt get her out of bed the entire day. She appeared to be in a dazed condition, refusing even to acknowledge questions.

Before that, the court was forced to recess four times when she passed out during the trial.

Sheriff Frank Lee said two doctors have examined the woman.

Her mother and husband have testified she is subject to epilepsy. Mrs. Smarr is accused of slaying three children of a relative by marriage, Willie Posey, but is on trial only for the death of one youngster.

The sheriff said her husband is a first cousin of Posey. She is not an aunt of the children as was first reported, he said.

Killer Suspect On Trial Today

EUTAW, Ala., Dec. 7 (AP)—A 27-year-old Negro woman charged with killing three of her brother's children and kidnaping another goes on trial here tomorrow.

The woman, Mattie Smarr, entered a plea of innocent by reason of insanity at her arraignment in September.

Sheriff Frank Lee said her psychotic desire for motherhood led her to beat three children of Willie Posey and kidnap 3-month-old Cullan Mae Posey. A fifth Posey child, Lassie, left for dead in the attack, will be a witness against the aunt in the trial tomorrow. She recovered after remaining semi-conscious nearly two weeks.

The baby was found unharmed at the woman's home in Birmingham several days after the attack Sept. 22.

At the time, Sheriff Lee quoted the 155-pound woman as saying she attacked the children so they wouldn't tell she took their tiny sister.

The sheriff said she admitted coming to the Posey home when she knew the parents were away. The Poseys found the three dead children and the unconscious body of the fourth when they returned to their small farm home in nearby Mt. Hebron community.

Woman's Body Found Beaten, Shot, In Field

SATSUMA, Ala., Dec. 17 (AP)—The body of Mrs. Willie Lee Trueblood, 22, was found beaten and shot through the head late today in a field near her home.

Deputy Herman Blake quoted a next door neighbor as saying she and Mrs. Trueblood were raking leaves in their yards when Mrs. Trueblood left to chase suspected hunters away from her property.

Blake said Mrs. Joseph Trehern told him she and Mrs. Trueblood had heard shots nearby. She said Mrs. Trueblood went to investigate, and did not return.

Her body was found by Mrs. Trehern's 14-year-old son, Carl, about 200 yards behind the Trueblood home.

Blake said Mrs. Trueblood's head had been clubbed with the butt of a gun, and that she had been shot in the right temple.

Officers said a 16-year-old Negro was being questioned at the county jail, and that an investigation would continue through the night. Bloodhounds from the Atmore prison farm were brought to the Satsuma area.

Asst. State Toxicologist Nelson E. Grubbs said he planned an autopsy.

The woman's husband, J. P. Trueblood, was said to have been at work in Mobile at the time. The couple had a 4-year-old son.

Defense Rests Case In Triple Murder Hearing

EUTAW, Ala. — (INS) — The defense yesterday rested its case in the trial of a 27-year-old Negro woman accused of slaying three or her brother's children, savagely beating a fourth, and kidnapping another.

The defendant, Chunky Mattie Smarr, is on trial today for the slaying of five-year-old Ivorie Posey, one of three children whose bodies were found by their father, Willie Posey, when he returned from work in September.

The kidnaped child, three-month-old Cullan Mae Posey, was unharmed when found by officers who arrested the defendant. Lassey Posey, 11, recovered in a few days from the beating she received.

During the trial, which began Monday in Eutaw, the woman's mother, sister and husband testified that she was subject to frequent epiletic seizures, and the trial was recessed at one point when the prisoner fainted in the courtroom.

At her arraignment, Mattie Smarr entered a plea of not guilty by reason of insanity.

A brief recess was called in the trial Tuesday afternoon after the state presented its rebuttal witnesses, and following testimony by rebuttal witnesses for the defense, the case was to go to the jury last night.

One screams—

Chair takes lives of two noted killers

MONTGOMERY, Ala., May 2 —(AP)—Two Negro slayers died in the electric chair early today, one of them with an agonized scream as the 2200 volts of electric current struck him.

Cooper Drake, 31, paid with his life for shooting a 4-year-old white boy through the head after allegedly raping the child's mother near Calera. The other condemned man, 32-year-old Andrew Lee Smith, was put to death for killing two white policemen at Alden, Jefferson County.

* * *

DRAKE, WALKING into the execution chamber in a jaunty manner, declined offers of help and said to guards: "Let me set up by myself, captain. I just want to be able to set up by myself."

Alternately humming spirituals and praying and thanking officers who guarded him during his imprisonment, the Negro smiled when Chaplain J. E. Franks recited the last verse of the sixth chapter of Romans which says, "the wages of sin is death." Drake said, "I like that verse."

He criticized, however, a man he with the National Association For the Advancement of Colored People. He told Chaplain Franks to give this message to Matthews:

"Tell him he wouldn't help me. I don't know the reason why. But the Lord makes everything all right."

And to his ailing mother he sent this message: "Tell her I left with the faith."

THEN HE CALLED for Deputy Warden O. R. Dees and thanked him "for being so faithful to me. You're a nice fellow. Continue to be that way."

Drake appeared to break down, however, after the mask was slipped over his face and called again for Dees in a quivering voice. He apparently tried to say something else just as voltage was applied and his voice trailed off into a weird "o-o-o-o-o-ooh."

Drake was strapped in the chair at 12:23 a.m. (CST) and pronounced dead at 12:29.

SMITH, WHO preceeded Drake to the chair, got his first jolt at 12:08 a.m. and doctors pronounced him dead five minutes later. He declined to make a statement.

The two men lost their last chance of escaping the chair late yesterday when Gov. Gordon Persons refused to interfere.

Drake had one of the shortest clemency hearings ever held in Alabama. It lasted scarcely 10 minutes.

He was convicted of shooting tiny Dale Holley while the child was in his mother's arms, then killing the child with shots through the head.

Drake also was charged with assaulting the boy's mother but was not tried for this.

At an earlier hearing Smith was confronted by the widows of two slain police officers who demanded that he be put to death.

The condemned Negro admittedly shot and killed Police Chief Stanford Howton of Graysville and Constable Sam Linn after they raided a dice game at his home.

Negro Slated To Die In Chair

A 23-year-old convicted slayer headed for the Kilby Prison electric chair tonight but Gov. Gordon Persons saved another condemned Negro after a strong appeal by his lawyer.

Barring some unexpected development within the next few hours Leveret Forrest, a Mobile Negro convicted of killing an elderly white farmer, will be executed shortly after midnight. It will be the third execution in a week.

Two other convicted slayers, also Negroes, were electrocuted last Friday.

Eddie Thomas, who once admitted raping a white woman in Jefferson County then repudiated it, had his death sentence commuted to life imprisonment. He was also scheduled to die tonight.

The Negro whose mercy appeal failed told Asst. Atty. Gen. William N. McQueen, acting as legal adviser for Gov. Gordon Persons, to spare his life because of his family.

"I ask you to have mercy on me because of my 13 brothers and sisters back home and my father and mother," he said.

The Rev. Guy Forrest, father of the condemned man and a part-time preacher who works in a paper mill at Pascagoula, Miss., told McQueen he tried to have him confined as a mental case a few days before the slaying.

Forrest was given the death sentence for killing Ulysses L. Alberson near Irvington, Ala., in November, 1950. The State gave evidence showing that he sold some cattle to a Mississippi buyer shortly after Alberson's death.

Persons saves doomed Negro man from chair

MONTGOMERY, Ala., Aug. 28—(AP)—At 11 a.m. today, Howard Davis was a frightened Negro headed for death in the electric chair for the killing of a white farmer.

An hour later, he was a life-termer at Kilby, his sentence commuted by Gov. Gordon Persons after a 45-minute hearing.

Davis was convicted and given the death penalty for the slaying of C. L. Prince in Shelby County on Oct. 31, 1948. Prince was beaten to death. If the governor hadn't interfered, the Negro would have died in Kilby's electric chair shortly after midnight tonight.

At a clemency hearing this morning, Davis insisted he didn't kill the white farmer, that "I'm not the man."

Gov. Persons commuted the sentence because he said there was too much doubt of the Negro's guilt. He pointed out that Davis was once arrested for the killing, then released, arrested again and convicted two years later.

WOMAN GETS DEATH IN KILLING OF CHILD

Jury Out Only 15 Minutes In Alabama Case

EUTAW, Ala., Dec. 13.—(AP)—A death sentence was handed out here to 27-year-old Mattie Smarr, accused Negro child slayer with a "psychotic" desire for motherhood.

The jury returned its verdict in 15 minutes. Judge Emmett Hildreth fixed the electrocution date for March 20 but suspended the sentence pending automatic appeal to the State Supreme Court.

Fainting spells by the chubby, 155-pound defendant forced the trial to drag on four days. Finally she was brought into the courtroom and, at one time, tied to her chair to prevent her falling.

After she promised to cause no more trouble the bindings were loosed.

The defendant was convicted of killing 5-year-old Ivory Posey, a relative by marriage. She was not tried for the deaths of two other Posey children, Mattie Jean, 2, and Ollie, 8.

The indictment also charged her with kidnaping their baby sister and leaving another child, 11-year-old Lassie Posey, for dead.

Sheriff Frank Lee said the Negro woman admitted she killed the children to keep them from telling that she took their tiny sister who was found unharmed with her when she was arrested.

The sheriff said the woman feigned pregnancy, even to the extent of stuffing pillows under her dress, so friends would think the Posey child was hers.

Two White Men Held In Death Of Negro Woman

TEXAKANA, Ark., Dec. 31 — A 70-year-old Negro woman, who apparantly lived alone, was found beaten to death in her home here last week, and two white men were arrested and charged with murder . W. E. Davis, county sheriff, said:

The victim, Mrs. Emma Williams had been dead at least a day before the body was found, Davis said.

The sheriff said the two men had been reported seen at the Woman's house. He said robbery apparently was not the motive for the slaying.

Greenville Negro Is Jailed in Brutal Arkansas Slaying

GREENVILLE, Miss. (Special) — A Negro man jailed here in connection with the brutal slaying of a 70-year-old rural Arkansas merchant has waived extradition and been returned to that state.

The Negro, arrested by local police, was identified as James Smith, 41. Arkansas officers said he was a suspect in the robbery and murder near Hughes, Ark., of M. C. Catha, the storekeeper, who was found unconscious, his head badly beaten and lying among a number of broken soft drink bottles.

The Negro's attorney, Howard Dyer of Greenville, first requested extradition papers of the Arkansas officers when they came here Tuesday after the Negro said he believed they sought to have him returned to Hughes because he had left his cotton crop he was raising as a tenant farmer. He said he thought the owner of the farm property was trying "to get me."

He denied having had any connection with the slaying, saying he was "no where in the vicinity" at the time the attack and robbery occurred. He said he was willing to go back, asserting "I am innocent."

Smith was arrested after officers learned he had relatives here and someone reported they had seen him running down the road near the store just before the attack.

Negro Woman Found Beaten to Death; Two White Men Held

TEXAKANA, Ark. — (ANP) — A 70 year old Negro woman, who apparently lived alone, was found beaten to death in her home here last week, and two white men were arrested and charged with murder, W. E. Davis, county sheriff, said:

The victim, Mrs. Emma Williams, had been dead at least a day before the body was found, Davis said.

The white men held in connection with her death were Nolan Gibson, 31, and Morris Grigson, 36.

The sheriff said the two men had been reported seen at the woman's house. He said robbery apparently was not the motive for the slaying.

Reddick Gets Life Sentence

Booby-Trap Trial Lasted 6 Weeks

By JAMES E. SHANKEL

NEW HAVEN, Conn. — After deliberating four hours and 45 minutes a Superior Court jury Wednesday night found Leroy Reddick, 29, guilty of first degree murder in the dynamite booby-trap slaying of Homer Wright a local painter who, along with his wife, Mrs. Ophelia Wright, was killed on March 18.

Defense counsel immediately informed Judge John A. Cornell that a move would be made to set aside the verdict and motions will be heard Tuesday morning. Unless the motion is granted formal sentence will follow.

If the motion is denied it is expected the conviction will be appealed to the Supreme Court of Errors.

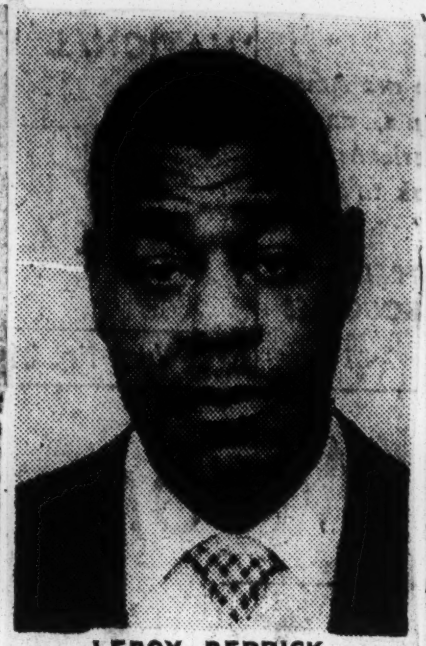
Standing impassive and motionless before the jury box, his hands clasped quietly before him, Reddick calmly faced each member of the 4-man, 8-woman jury Wednesday night as chief defense counsel Howard Jacobs polled them following their guilty verdict.

The verdict carried a recommendation that the husky Reddick be sentenced to life imprisonment, the first to be given since provision for it was made by the 1951 Legislature. The statue offers no provision for parole, however.

The jury's first degree murder verdict followed a trial which lasted nearly six weeks and was heard before a crowded courtroom every session.

The Wrights were practically blown to bits when their 1932 Ford pick-up truck exploded as Wright stepped on the starter in front of their 27 County st. home about 9 a.m. March 18.

Only parts of Mrs. Wright's body were recoverable, according to Dr. Henry Bunting, a pathologist at Yale Medical School and the Grace New Haven Hospital: The head, shoulders, upper chest, a short part of the spine, a portion of the right arm and portions of a left leg.



LEROY REDDICK

She was thought by investigators to have been sitting directly beneath the explosive charge. Her husband was driving. His body was found seven and one half feet away from the truck. Several parts of his body had been blown away and an ankle broken.

Dynamite In Truck

Reddick was held criminally responsible for attaching wires to the electrical system of Wright's truck in such a way that dynamite hidden in the truck would cause its demolition and the death of Wright.

According to the coroner's report, Wright had pointed Reddick out of a line-up of men at detective headquarters, Feb. 28 and formally accused Reddick of attempting to steal a diamond ring from Mrs. Albert Smith in front of her husband's shoe shine parlor at 93 Webster st.

Wright had been hired to paint the shoe-shine parlor. As he was leaving the shop in the early hours of the morning of Feb. 27 with Mrs. Smith, the hold-up man appeared, flashed a gun and attempted to wrest the ring from Mrs. Smith's finger.

Threw Paint On Man

Wright reportedly cracked a jug of turpintine over the gunman's shoulder and followed up by throwing a can of paint at him, then struggled with the would-be thief, knocking off his hat. The man, however got away.

A description of a man was given to police and Reddick was arrested less than 24 hours later. He denied the hold-up attempt.

Reddick then allegedly attempted on March 12 to bribe Wright to keep him from testifying in the robbery case.

Served Two Terms

Having served two terms in the state prison in Wethersfield, Reddick was reluctant to return. He was quoted in the testimony at court as saying: "I'd rather die than return to State's prison."

Wright refused to change his testimony, however, and also reported the attempted bribe to the authorities.

Free on a $3,000 bond on the robbery charge, Reddick spent much time in New York. He was seized there, March 19, about 7:30 p.m. by Detectives Clarence Jacobs of New Haven and Vance Horah and James Freeman of New York, all colored officers, as a suspect in the booby-trap deaths of the Wrights.

Was In New Haven

Reddick admitted being in New Haven March 17 — The day preceding the early morning blast, but said he was back in Manhattan at 11 p.m. that night.

Miss Lannie Duckett, one of the defenses' chief alibi witnesses, testified that she and Reddick entered room no. 8 of the Hotel Currie in Harlem and registered as Mr. and Mrs. Reed. (Reed is the name of Reddick's step father).

they were in the Hotel on the morning of March 18 about 8 a.m. (The explosion which killed the Wrights occurred at 9 a.m., about an hour later).

Punched Railroad Slip

In his final summation before the Jury, State's Attorney Abraham S. Ullman pointed to a March 18 railroad slip punched out to indicate Reddick did not leave New Haven until 11:13 p.m.

On March 17, Ullman continued, Reddick asked Miss Duckett to register for him at the hotel where they had previously stayed.

"How could he be so sure . . . that he wouldn't be back from New Haven in time to register himself . . . Why? Because Reddick knew he was coming here on a murderous errand," Ullman charged.

Three-Time Offender

Only one man could identify Reddick as the hold-up gunman, and thus involve him as a three-time-offender and that was Homer Wright, Ullman told the jury in his effort to emphasize an apparent motive for the crime.

Three girl friends of Reddicks were his chief defense witnesses. They were Etelka Strum of New Haven who bore Reddick a child, Miss Duckett and Margaret Parsells, the latter two of New York.

Reddick, himself took the stand last Wednesday and denied that he ever "handled" dynamite or blastings caps, that he ever owned them and that he murdered the Wrights.

Stolen Dynamite

Previous testimony had brought out that 5 sticks of dynamite and 5 detonating caps were reportedly stolen from the Wintergreen avenue Quarry of the C. W. Blakeslee Co. on the morning of March 13.

Reddick's defense produced Miss Duckett and Miss Parsells in an effort to account for Reddick's movements and whereabouts abouts on the key dates under fire.

From the witness stand under cross examination by Ullman, Miss Duckett first stated that Reddick was with her March 13 but later said she wasn't sure.

Evening With Woman

The previous day, in answer to a question from his attorney, Reddick had said that he spent the evening of March 13 with Miss Ducket and remained with her until (he thought) the 17th.

Miss Parsel said she saw Reddick "off and on." She told Atty. Jacobs that Reddick came to her house at 154 W. 123 st. between 11 and 12 p.m., on Feb. 27.

It was about midnight, Feb. 27 that Homer Wright allegedly saw Reddick attempt to steal a diamond ring from Mrs. Smith in front of her husband's shoe shine parlor.

Motion For Mistrial

Miss Strums' testimony earlier in the trial caused the defense to make a motion for a mistrial after she declared that she had lied when she told a coroner's jury in March, implicating Reddick in the booby-trap explosion when she said he came to her home on March 13 and told her he knew where "enough dynamite was to blow up New Haven."

From the witness stand she flatly repudiated her story saying that Reddick spent the entire night at her apartment from about 9:30 p.m. on March 12 to about 7 a.m. on March 13.

Under cross examination by Ullman she stated that she invented the story about the dynamite "because I was just trying to get even with him" (Reddick).

Judge Questions Her

Judge Cornell then asked what Reddick had done to her.

"Everything that ever happened to him involved me," she answered. "When Reddick got into trouble, someone would come to me at my job," she explained.

The ghastly murder of the Wrights was labelled one of the greatest crimes in Connecticut history and rocked the city of New Haven.

Tried On Indictment

Although Reddick was only tried on the indictment charging him with the death of Wright, Ullman said after the conviction that he wasn't certain the now-three-time loser would be brought to trial for Mrs. Wright's death.

Several other actions might be taken, however, as a result of the trial which was the center of this town's history during its six-week sojourn.

Preston Robinson, a leading witness for the State, has been held in the County Jail on an idleness charge since March 15. The State contended he acted as a go-between in the alleged bribe attempt made to Wright by Reddick and the defense had a psychiatrist testify that Robinson is insane.

Plans To Confer

Ullman said Thursday that he plans to confer with Robinson's attorney within the next few days. He declined to comment as to whether Robinson might be sent to Middletown State Hospital for the insane.

There is also the possibility that some action may be taken against Miss Strums who lived with Reddick and is the mother of his child, a result of her testimony, but Ullman did not comment.

Bomb Murder Trial Resumes

Truck Of Victim Was Boobby-Trapped

NEW HAVEN, Conn.—The first degree murder trial of Leroy Reddick was scheduled to resume again Tuesday after being adjourned for a week by Judge John A. Cornell in Superior Court because of the illness of Howard Jacobs, chief defense counsel.

Reddick, 28, is being tried for the boobytrap bomb murder of Homer Wright, 42, who, with his wife, Ophelia, 41, was instantly killed on March 18 when their light pickup truck exploded in front of their home.

When he adjourned the trial Judge Cornell also told the jury that there will be no court on the day after Thanksgiving and warned the panel not to discuss the case as "even a mistrial" may result from actions of the jurors outside the courtroom.

Lawyers Confer

Last Tuesday, before the adjournment, State Attorney Abraham S. Ullman, Asst. State Atty. Arthur T. Gorman, defense counsel Israel Jacobs, father of the ill lawyer, and Stanley Jacobs, plus the judge, conferred for 50 minutes before court opened.

Prosecution testimony in the trial began two weeks ago with six witnesses completing their testimony and a seventh scheduled to resume the stand when the trial gets underway this week.

The trial was delayed nearly two days while the defense fought against admitting Preston Robinson as a State witness on the grounds that he was "incompetent." The defense contended that Robinson had tried to persuade Wright from testifying against Reddick in a pending attempted robbery case.



Associated Press Wirephoto

HOMER WRIGHT'S BODY, LEFT, AND TRUCK AFTER DYNAMITE EXPLOSION

Holdup Witness Who Rejected Bribe To Keep Quiet Blown to Bits With Wife

By The Associated Press

New Haven, Conn., March 18.—A witness to a recent holdup who police said had rejected a bribe to keep quiet, was blasted to death with his wife today in a dynamite-rigged truck.

Homer Wright, 42-year-old painter, and his wife, Ophelia, 41, were blown to bits when Wright stepped on the starter of his 20-year-old truck. It had been parked all night in front of Wright's house, across the street from the New Haven County Jail.

The explosion, felt a mile away, shattered windows throughout the neighborhood.

Wright was to have been a witness Friday in Police Court at the arraignment of Leroy Reddick, 30, arrested as a suspect in the attempted holdup of a shoe-shine parlor. Wright was working in the place when the attempt occurred.

Police said a third person was arrested last week after offering Wright a bribe not to testify.

Police Chief Howard O. Young said all available officers had been assigned to hunt for Reddick, who was released under bond after his arrest.

Reddick's trial was to start in City Court Friday, and Wright was a principal witness against him.

It was reported that an attempt had been made Monday night to bribe Wright not to testify at the trial. It was not learned by whom the bribe was offered.

The explosion occurred in front of the couple's home as the Wrights were about to drive away in their pickup truck. The blast destroyed the vehicle, hurled the Wrights to instant death and shattered windows throughout the neighborhood. Inside County Jail, just across the street, two prisoners were thrown to the floor but were unharmed. Power and communication lines were broken.

Police issued an immediate general alarm for Reddick. They said that on Feb. 27, a bandit tried to rob Mrs. Albert Smith, proprietor of a shoe shine parlor, of a $4000 diamond ring and money. Her screams attracted Wright. He routed the gunman by hitting him with a bottle of turpentine and dumping a can of paint on him.

The next day, Wright identified Reddick as the would-be robber.

NEGRO WITNESS, WIFE BLOWN TO BITS IN CAR

He Picked Holdup Man Out Of Lineup Three Weeks Ago

NEW HAVEN, Conn., March 18. —(UP)—Three weeks ago Homer Wright, 42-year-old Negro painter, picked Leroy Reddick out of a police lineup as a suspected holdup man.

Tuesday, Wright and his wife, Ophelia, 41, were blown to bits by a "booby trap" dynamite charge placed in their automobile.

Revenge was believed the motive in what Police Chief Howard O. Young described as "the most brutal thing I've ever seen."

The entire Police Department was put on the trail of Reddick, 28, who had been at liberty under $5000 bond since he was arrested Feb. 28.

13c 1952

Legal Sentence (Connecticut)

Trial Starts For Dynamiter

NEW HAVEN, Conn.—Selection of a jury for the first-degree murder trial of Leroy Reddick was recessed in Superior Court here Friday until Wednesday after a pool of eighty-six prospective jurors was exhausted in choosing only nine jurors after four days of trial.

Some fifty new prospective jurors have been summoned to appear at County Courthouse here Wednesday when picking the jury will resume.

REDDICK IS charged with the slaying of a highly regarded local race couple, Homer Wright, 42, and his wife, Ophelia, 41, last March 18. The state claims Reddick placed a dynamite charge in Wright's truck in order to kill him and thus prevent Wright from testifying against Reddick, who was facing trial on burglary charges.

Major reason for inability to fill a jury in normal time was because neither the state nor defense counsel could really find prospective jurors who had neither read nor heard about the case or hadn't formed a preconvinced opinion on Reddick's guilt or innocence.

If convicted, Reddick faces the death penalty. Reddick, an ex-convict, has steadfastly maintained his innocence.

13c 1952 D.C.

Tyler Faces Life Term In Attack Slaying Of Howard Co-Ed

Donald Tyler, 22, today faced a possible life sentence for the rape and murder of a Howard University co-ed last February.

Tyler, who is colored and a former Howard student, pleaded guilty to charges of second-degree murder and rape yesterday in District Court.

He withdrew an earlier plea of not guilty to first-degree murder in the killing of Janet King, 20. Her body was found in the 1200 block of Nineteenth street N.E. Tyler later surrendered to police in Chicago.

Judge Alexander Holtzoff postponed sentence, pending an investigation by the court probation office. He explained to Tyler before accepting yesterday's plea, however, that the second degree murder charge could carry up to a life sentence, and the rape charge up to 30 years.

Assistant United States Attorney Martin J. McNamara, jr., did not insist on pressing the first-degree murder charge. He said that Drs. Joseph L. Gilbert and Amino Perretti, psychiatrists at Gallinger Hospital, had found indications Tyler was of unsound mind.

Later, the Government had Tyler sent to St. Elizabeth's Hospital for another examination. That report expressed the belief that Tyler was of sound mind.

In view of the possible conflict of testimony, Mr. McNamara said, a jury probably could be expected to return a second-degree verdict.

Faces 20 Years In Coed's Death

WASHINGTON

Dr. Tolly B. Spriggs, 53-year-old physician, faces a possible maximum sentence of 20 years in the abortion-death of Miss Mary J. Cooper, 19-year-old Howard co-ed and niece of the former Liberian Ambassador to the U.S., C. D. B. King.

A jury of nine men and three women, two of them colored, brought in a guilty verdict against the physician after two hours' deliberation, Wednesday.

The veteran medico was accused of performing an illegal operation on Miss Spriggs on Dec. 1 1951, which resulted in her death on Dec. 13.

Bad Wife Sobs

Although the broad-shouldered physician, attired in a blue serge suit, accepted the verdict without emotion, his wife, who sat through the five-day trial, sobbed openly.

As Dr. Spriggs was led to a cell in the custody of a U.S. Marshal, Mrs. Spriggs, with tears streaming down her cheeks, was escorted from the court room by her son, Bobby and her daughter, Tayloria.



MISS MARY COOPER

Among the friends attempting to console her was Henry P. Owens, who goes on trial Nov. 19 on a second degree murder charge in the slaying of his son-in-law, Harry Whitlock.

Andrews Gone Home

Missing from the scene was Clifford Andrews, 24 - year - old sweetheart of Miss Cooper, whose testimony was credited by the prosecution as the important factor in the conviction.

Andrews, who spent three days on the witness stand giving an eye-witness account of the operation and the sordid details of the subsequent 13 days in the Dunbar Hotel, returned to hi home in Tula, Okla. on Tueday evening.

The trial, which began last Wednesday, went to the jury after the prosecution, handled by William S. McKinley, assistant district attorney, and the defense, represented by H. Clifford Allder, made closing impassioned arguments.

Mr. McKinley successfully called for the conviction of the physician for what he termed "a vicious crime."

"It was vicious," the district attorney declared, "Because this man permitted Mary Jane Cooper to lie in a hotel room 13 days when he knew that she needed hospital care.



Dr. TOLLY B. SPRIGGS

"Why didn't he take her to a hospital? Could it be because if she were taken there he would have had to face some embarrassing questions?

"Could it be that Dr. Spriggs preferred to permit Mary Cooper to die rather than face this embarrassment?" the usually mild-mannered prosecutor thundered.

"And what about this undertaker? You heard the testimony that he went into the hotel, passed the desk clerk and up to the room room where the body lay.

Undertaker Censored

"You heard how he brought the death certificate, then returned a side door to permit his companion to sneak in with a stretcher.

"Why didn't the undertaker come through the lobby? Why did he and his companion go up the stairs with the stretcher rather than use the elevator?

"After getting the body out through a side door there was this business of the undertaker running to and from the Dr. Sprigg's house around midnight to get a death certificate changed.

"Why, I ask you, ladies and gentlemen of the jury? I submit that it was very strange conduct," the prosecutor observed.

Stern Witness

"The defense will talk about Mr Andrews being an accomplice. But you heard him from the witness stand.

"You saw the defense cross-examine him for three hours without being able to shake his story. It is impossible to shake the story of a witness, who tells the truth.

"In this case I believe that Mr. Andrews is telling the truth," Mr. McKinley stated.

In his closing defense argument, Mr. Allder called Andrews "as cold blooded and hardened a witness as I have seen in my 22 years of practice."

No Emotion

The defense attorney roared:

"Can you imagine any person in love telling a story involving his sweetheart without emotion as this Andrews did?

"Here is a man, who testifies calmly that he slept in bed with his sweetheart on one night and then took her to the doctor the next.

Had Medical Knowledge

"He tells you all of the details about the alleged operation, so calmly, i that a human being?" Mr. Allder challenged.

The defense attorney made much of the testimony that Andrews had been a pre-medical student at Howard University for four-and-a-half years.

Mr. Allder pointed out that Mary's two sisters, who resided in New Jersey and New York. were nurses.

"If you take into consideration this boy's admission that he lied about a previous statement and the fact that he and the two sisters had medical knowledge, I feel that you have to bring in a verdict of not guilty."

The closing arguments ended at about 11:30 a.m. The judge took about 35 minutes to charge the jury about the law involved. Jurors went to lunch and deliberations began at 1 p.m.

Seek Bond

Charles Ford, associate defense counsel, is attempting to have a bond set for the physician's release from jail pending sentence and appeal.

The sentence will be imposed within two weeks.

According to a Liberian paper, the dead girl's mother, the former Mrs. Jeannette L. Cooper, married former Ambassador King on July 27 in Monrovia, Liberia.

The coed's sister, Maggie, who wrote the letter to the dean of women asking that she (Mary) be permitted to leave the campus on the weekend of Dec. 1, 1951, was sought as a government witness.

However, after Maggie testified before a grand jury during January, she returned to Liberia and according to the government, refused to return to th eU.S. to testify in the case.

13c 1952 D.C.

HU Official's Husband Slain

Couple Estranged; Father-In-Law Held

WASHINGTON

The estranged husband of Howard University's director of personnel was fatally wounded Friday afternoon by a shot allegedly fired by the dead man's father-in-law during a family quarrel, police reported.

Victim of the bullet from a .38 caliber revolver was Harry Louis Whitlock, 33, 3906 13th St., NW an employee of the OQM branch of the Defense Department and husband of Mrs. Yvonne Whitlock Howard U. personnel official.

Held by police for a coroner's inquest Monday is his father-in-law, Henry P. Owens, 51, of 3311 13th St., NW. an attorney, certified public accountant and an official of Pinkett's Prescription Drug Store, 1300 New Jersey Ave., NW.

Shot In Front Of Home

According to police, the shooting occurred in front of the Owens home, between the house and the sidewalk, where Whitlock and Owens were engaged in a bitter argument.

Det. Sgt. Theodore N. Haage of the homicide squad told the AFRO that Whitlock, who has been separated from his wife, Yvonne, two weeks, went to his father-in-law's home on Friday to take his 5-year-old son, Darragh, out for the afternoon.

After returning with his son, Owens was quoted as telling police, Whitlock told his father-in-law that he intended to keep the boy permanently.

Owens told police, it was revealed, that his son-in-law had threatened at various times to kill members of the Owens family in disputes over the youngster.

Bullet Pierces Chest

Detective Haage said that Owens admitted going upstairs to get the .38 caliber revolver and later shooting Whitlock as the argument continued in front of the house.

The bullet entered the right side of Whitlock's chest.

He was pronounced dead at Garfield Hospital by Dr. Kenneth Wilkins at 5:45 p.m.

Gloster Whitlock of 3906 13th St., NW, father of the slain man and a brick mason, told the AFRO that his son's mother-in-law called him about 5 p.m. to ask that he come to the Owens home because his son was out front pacing the sidewalk in a very angry mood.

Mr. Whitlock said he rushed out of the house on the run because he was aware that his son had been upset by domestic difficulties.

Dad Had Premonition

"I tried unsuccessfully to catch a cab," he told the AFRO. "As I got to 13th St. and Park Rd. a police car went by with its sirens open and I feared something was happening.

"When I arrived on the scene, my son's body was lying on the sidewalk. Shortly after, an ambulance came to carry him to the hospital."

Mrs. Harriet Whitlock, the slain man's mother, told the AFRO that her son married Yvonne during 1943, two weeks after he joined the Army. Until they separated, they lived with her.

She revealed that her boy was a graduate of Armstrong High School.

On the day of the slaying, the mother said, Harry brought his son to her home for lunch and later took the boy to the movies.

Mother's Only Son

"Naturally. I am very much upset, because he is my only boy."

Funeral arrangements will not be held until after the inquest.

Mr. Owens is a graduate of the Howard University Law School and is said to be a certified public accountant.

His attorney, Curtis Mitchell waived a hearing before the U.S. commissioner, the AFRO was told, to go before a coroner's inquest set for 11:30 a.m. Monday.

Donald Tyler Indicted for Coed's Death

Donald Nathan Tyler, 22, of 2419 1st st. nw., was indicted yesterday on a charge of first-degree murder in the fatal shooting of Miss Janet Ellen King, a Howard University classmate.

The crumpled body of Miss King, 19, was found in a gutter in the 1200 block of 19th st. ne. the night of February 18. She was shot in the head, shoulders and neck. Tyler told police the shooting was accidental.

Tyler was indicted also on charges of rape and robbery of a 24-year-old Navy Department employe on February 10. According to police, the victim identified Tyler as her assailant after he was brought here from Chicago, where he was arrested for the shooting.

He was one of 39 persons indicted yesterday by the grand jury.

Puerto Rican To Die For Attempt To Kill President

WASHINGTON — (ANP) — Oscar Collozo must die for the part he played in the murder of a White House Guard at the Blair House on November 1, 1950, when he and his partner attempted to assassinate President Truman.

The death sentence was automatically upheld when the supreme court last week refused to review an appeal in the case.

The only possible escape from the electric chair for the 38-year-old Puerto Rican would be a commuted death sentence by the President. This is not likely since President Truman has been much concerned about the murder of his guard, Leslie Coffelt.

Collozo's partner, Griselle Terresola, was shot to death at the entrance of the Blair House during the

No date has been set when he will take his death march.

Student Indicted Murder Of Co-ed

WASHINGTON, April 14.—Donald Nathan Tyler, a 22-year-old student at Howard University, was indicted last Monday for the murder of his classmate, Miss Janet Ellen King.

The bullet-riddled body of the 18-year-old co-ed was found crumpled in a gutter on a Washington street on the night of February 18.

The young pharmaceutic student had been fatally shot through the head, the shoulders and neck. In addition to the three shots, district coroner said she had been choked and criminally assaulted.

Tyler, who was later arrested in Chicago, claimed that the shooting was accidental. He admitted, however, that he had been out driving with the girl on the day of the murder.

Police quoted him as saying the girl was playing with a 25 caliber automatic which she had taken from the glove compartment of the car which he was driving.

He claimed that when he warned her that the gun was loaded he asked her not to "play with it."

She failed to heed his warning, and "somehow the gun went off" stated Taylor.

He fled the city but surrendered to Chicago police two days later, saying, "It was useless for me not to go to the police about the accident which I had."

In addition to the murder charge, Tyler was indicted for criminally assaulting and robbing a 24-year-old Navy Department employee on February 10.

The latter victim identified Tyler as her assailant after he had been arrested for the shooting of Miss King. She charged Tyler with forcing her to submit to him in a wooded area in Northeast Washington after making her get into his car at gunpoint.

'God Saved My Son'

Mother Credits Prayers; Coed's Killer Won't Die

Enters Second-Degree Plea After Psychiatrists Declare Him To Be 'Of Sound Mind'

By AL SWEENEY

WASHINGTON

"I am quite relieved," was the reaction of Mrs. Julia B. James to her son, Donald Tyler's, second-degree murder plea, Tuesday, in the slaying of a Howard University coed.

"Because I believe in God, I never permitted the thought that my son would pay the supreme penalty for something he had not done to enter my mind."

Mrs. James wept softly as she read excerpts of a letter that her son and written to her to an AFRO reporter.

Cities Innocence

The letter, she explained, was delivered to her at the District Court building by Wesley Williams, an attorney, just before the guilty plea was entered.

He wrote:

"God knows I am innocent. But I have caused you enough trouble and feel that I am doing the right thing. Promise me that you will take care of yourself and stop worrying about me.

"God knows [illegible] and what is wrong. I only regret the hardship and the heartaches that I have caused you. Please believe me that I neither meant or tried to cause them.

Sends Love To Wife

"Tell Ianthe (Tyler's wife) I still love her. God shall take care of the both of you.

"My greatest ambition was to finish school and to provide for you. You have been the most understanding, sweetest, sincerest mother that any boy has ever had. I thank God for you."

As she finished reading the letter, Mrs. James sobbed bitterly as she said, "I believe in God and know that he was responsible for my son's not having to pay the supreme penalty."

Donald N. Tyler, 22 - year - old Howard University pharmacy student, exchanged the possible "walk on the last mile" for a "long stretch," Tuesday, as he pleaded guilty to the second-degree murder of a schoolmate.

Young Tyler entered the second degree plea through his attorney Wesley S. Williams, shortly after Prosecuting Attorney Martin McNamara, read the conclusion of a medical examination made by St. Elizabeth's Hospital psychiatrists declaring that the young slayer was of "sound mind."

He was indicted by the grand jury on May 5 for the first-degree murder and criminal assault of Janet E. King, 19, also a pharmacy student. The slaying occurred on Feb. 18.

Orders Examination

The former Howard student was arraigned on May 9. Three days later Judge Alexander Holtzoff, of the District Court bench, acting on a request by Tyler's attorney, Mr. Williams, ordered Drs. Amino Perretti and Joseph L. Gilbert, of Gallinger Hospital, to give the defendant a mental examination.

On May 26, the two psychiatrists reported that Tyler was of "unsound mind and suffering from a mental disorder or psychosis, namely undifferentiated psychosis."

On the same day, the prosecution successfully asked for another mental test that called for Tyler to be committed to St. Elizabeth's Hospital for a period of two weeks to be examined by two psychologists of the staff for another psychiatric report.

Case Continued

On June 9, the case was continued until July 22 for a further examination.

On Tuesday morning, the report of Dr. Winfred Overholser, superintendant of St. Elizabeth's Hospital, was read. He indicated that Tyler "was of sound mind and mentally competent to co-operate with counsel in his defense."

Judge Holtzoff after hearing the report set the trial date to Thursday. However, after the morning court session, Mr. Williams and Tyler's mother, Mrs. Julia B. James, talked with the young defendant in the court cell block.

Brutality Accusation Is Heard

Police Claim Man Was Shot After Drawing Knife But Others Disagree

Assistant United States Attorney John B. Diamond, 3d, yesterday held a day-long closed hearing into charges that a policeman beat and shot a 43-year-old man he arrested July 13 for drunkenness.

Diamond made no decision yesterday on whether or not he would place charges against Police Pvt. Dewey H. Taylor, jr., of the Second Precinct. He said he wanted to study the evidence further and consult with United States Attorney Charles M. Irelan today on the case.

Private Taylor and his partner, Pvt. Arthur A. Patrick, said they arrested Ezekiel Seigler, of no fixed address, in an alley in the 600 block of R st. nw.

En route to a call box at 6th and R sts. nw., they said, Seigler grabbed Taylor's nightstick and struck the policeman with it. Seigler was subdued and while Taylor held him, Patrick went over to the box to call for the wagon, the policemen said.

When Seigler pulled a knife, swung at Taylor and missed him, Taylor said, he beat the prisoner with his nightstick and as Seigler came at him again with drawn knife, fired at him three times. One bullet struck Seigler in the cheek. He was admitted to Gallinger Hospital where his condition is listed as "good."

Pvt. Taylor was treated for stomach bruises, and for injuries to both legs.

About 12 witnesses filed into Diamond's office yesterday to tell a different story, according to Diamond and Seigler's attorney, George Parks.

This version was that they watched the arrest while Seigler and Taylor were in the triangle park formed by the intersection of 6th and R sts. and Rhode Island ave. nw.

They testified they saw Seigler on his hands and knees while Taylor stood over him and beat him with a nightstick. Seigler offered no resistance, these witnesses were reported to have said, and then Taylor stepped back and fired three times at him.

Yesterday's hearing was requested by the Washington branch of the National Association for the Advancement of Colored People. Attorney Parks represented both Seigler and the association. Other association lawyers present during the hearing were E. L. Ferrell and Leroy H. McKinney.

Truman Stops Execution of His Assassin

BY PHILIP WARDEN

[Chicago Tribune Press Service]

Washington, July 24—President Truman has decided to spare the life of the ma who attempted to assassinate him the White House announced today.

Presidential Secretary Joseph Short announced that the President has commuted the death sentence of Oscar Collazo, a Puerto Rican, to life imprisonment.

Collazo was scheduled to die in the electric chair here a week from tomorrow for his part in the slaying of a White House policeman during an attempt to assassinate the President Nov. 1, 1950.

One Assassin Slain

Collazo, 37, a fanatical nationalist, attempted to storm up the steps of Blair house, where the President was living while the White House was under repair. With Collazo was Griselio Torresola, another Puerto Rican.

Torresola and a White House policeman were shot and killed in the noon-day gun battle on Pennsylvania ave. between the Puerto Ricans and White House policemen and secret service agents. Collazo and two guards were wounded under the window where Mr. Truman had been taking a lunch hour nap.

Altho the bullet which killed the White House guard came from Torresola's gun, the courts held that an accomplice in the crime was equally as guilty as the person who committed it.

Delayed During Appeals

Collazo was convicted on two murder counts. He was sentenced to die in the electric chair last Oct. 26 but his execution was postponed while appeals were made to both the Court of Appeals and the Supreme Court.

The defense counsel had contended that Collazo did not intend to assassinate the President but only to stage a demonstration for Puerto Rican independence.

More than 3,000 Puerto Ricans living in New York and Puerto Rico recently signed an appeal for clemency for Collazo and sent it to the White House. The appeal pointed out that Collazo is married and the father of a daughter living in New York. They obtained guns and boarded a train for Washington to make the attempt.

Leo A. Rover ,the court appointed attorney who defended Collazo, todl reporters that Collazo "a political prisoner."

Collazo only this afternoon had refused to authorize him to make any plea for clemency.

13c 1952

D.C. (Legal Sentence)

Howard Slayer Of Coed Gets 10-30 Years

WASHINGTON, D. C.—Donald Nathan Tyler, 22 year old ex-pharmacy student of Howard university, was given a 10 to 30 years sentence last week for the murder of his pretty classmate, Janet King last February.



Tyler

An additional five to 15 years was given the youthful student for rape.

...The 19 year old slain co-ed was the niece of former ambassador Charles D. B. King, of Liberia.

The body of Miss King was found face down in a ditch in North East Washington after she had been raped and shot.

Tyler, captured in March by Chicago police authorities confessed that Miss King was shot accidentally while examining a .35 calibre revolver while riding in a car belonging to a Washington pharmacist. Married, Tyler admitted being intimate with the girl, described as a "brilliant" student.

A charge of first degree murder was changed to second degree murder after a question arose concerning the defendant's mental condition. Psychiatrists testified Tyler was mentally unstable, but legally sane.

Widow Says Slain Man Father of Her Young Daughter

EDITOR'S NOTE: Trial highlights . . . which expose the hearts and souls of the principals in the Mrs. Ruby McCollum-LeRoy Adams case . . . will be dramatized NEXT WEEK! The moving, searching details will come from the pen of Zora Neale Hurston, famed novelist, in a special series! You can't afford to miss it!

* * *

By JOHN A. DIAZ
(Editor, Courier Florida Edition)

LIVE OAK, Fla.—The law of the South is tragic . . . traditional . . . inflexible!

And so . . . Mrs. Ruby McCollum, accused of killing Dr. LeRoy Adams, prominent white physician, has been sentenced to "death in the electric chair."

A recommendation of first degree murder . . . with no mercy . . . makes the death penalty mandatory under Florida law.

In a drama-packed courtroom here Saturday afternoon, an all-white jury reached its final decision, passing another milestone in a case which began four and a half months ago in this mid-Florida town.

Thus came the "end of the trail" for the 37-year-old widow . . . mother of four children . . . who bared her soul in a vain attempt to save her life.

The trial was sensational, dramatic, with its highlights and its shadows. Across the stage marched the principal figures . . . with death in the wings . . . waiting for the final curtain call.

Ruby, called to the witness stand in a valiant attempt to ward off the fatal blow, told a story of "intimacy based on fear" . . . and revealed for the first time that she considered the prominent physician and political leader to be "the father of my child."

Dr. Adams Produced Pistol, Ruby Says

Without showing any signs of embarrassment . . . and in a low and monotonous voice . . . the widow of this city's wealthiest Negro business man, deliberately told the twelve jurors and two alternates, how Dr. Adams met his death.

She said that the physician was killed in a struggle over a pistol he had produced, when she refused to have intimate relations with him in his office. Ruby further told the jurors and Judge Hal W. Adams (no relation to the slain doctor) that she had been Dr. Adams' mistress for six years, and that the doctor was the father of her 16-month-old daughter, Loretta.

Mrs. McCollum added that Dr. Adams had "solicited" their illicit relationship . . . and that she had submitted "for fear of him." She detailed the events of the fateful Sunday morning of Aug. 3 . . . a morning which saw violence and murder lead directly to one death; indirectly to another, and throw this community into a dangerously explosive state.

On the fateful Sunday morning, Mrs. McCollum said she had gone to Dr. Adams' office for medical treatment. The doctor suggested intimacy, she testified, but she told the jury that she refused because of an ailing arm.

Says Dr. Adams Became Enraged

Dr. Adams then became enraged, she said, and produced a pistol. She testified that she grabbed the gun and in the struggle it went off. She admitted she was in a daze following the shooting, and couldn't recall exactly what happened immediately following.

Prosecution lawyer A. K. Black charged, for the state, that Mrs. McCollum shot the physician in an argument over a bill for professional services.

They paraded to the witness stand:

DEPUTY SHERIFF JAMES F. GRAY, who told of the arrest of the defendant . . . the finding of the gun . . . her statement that she didn't know why she did it . . . and her admission that she shot him.

CARRIE DAILEY: In the jim-crow waiting room at the time of the shooting. She admitted to being partially deaf and at first thought the gun being fired was a door closing. On cross-examination, her story of the conversation between Mrs. McCollum and Dr. Adams was torn apart.

CARRIE DAILEY'S 16-year-old daughter: She gave conflicting evidence. Admitted she couldn't tell left from right . . . or east from west.

THELMA CURRY: Dr. Adams' colored receptionist, who gave important testimony.

It was the battle of legal wits and technicalities over these witnesses which produced most of the highlights.

It must be recalled that shortly after the shooting, Mrs. McCollum was hustled out of town under heavy police guard while a hastily formed mob attempted to grab her. Her husband, Sam McCollum, wealthy farmer and businessman, fled town with three of the children. They were Kay, 11 years old; Sonja, 7 years old, and 15-month-old Loretta. Nineteen-year-old Sam Jr., was attending college on the West Coast.

But the strain of the tragedy was too great for him. When he arrived at the home of Ruby's mother in another part of the state, he suffered a heart attack, which proved fatal. He died on Monday, Aug. 4, the day after the shooting.

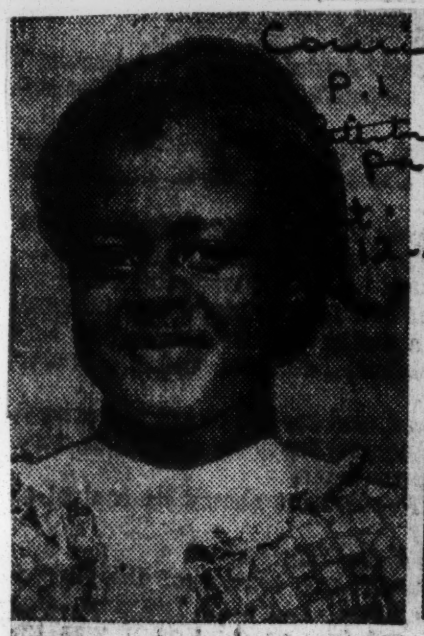
Judge Adams Defers Sentence

In an effort to provide background for a new trial, Attorneys Henderson and Frank Cannon, used every legal means to provide their client with competent counsel. They attempted to get a change of venue, in order that the trial could be held outside the county in which it was committed. They tried, by medical experts, to prove that Ruby was not of sound mind when she shot the country doctor. All their efforts were unsuccessful.

In a final plea to the court, Attorney Henderson said there was nothing in the testimony to show premeditation, and that logic supported the story told from the witness stand by Mrs. McCollum.

Ruby's other attorney, Mr. Cannon, argued in the closing moments of the case, that the state had failed to prove first-degree murder against his client.

Following the finding of the jury, Judge Adams deferred sentence, pending motion for a new trial.



Like Mother—

Sonja McCollum, 7-year-old daughter of Mrs. Ruby McCollum, is the "spitting image" of her mother. She is unable to grasp the tragedy now surrounding her life.—Rivera Photo.



She's Dazed—

Kay McCollum, one of Mrs. Ruby McCollum's children, realizes that a tragedy has hit her family. She knows her mother is in trouble. "What is an electric chair?" she asked.—Rivera Photo.

Widow Says White Doctor Is Father Of Her Child

LIVE OAK, Fla. — (SNS) — An all-white jury has ruled that Mrs. Ruby McCollum must die for the fatal shooting of Dr. C. LeRoy Adams, prominent white physician, who she said is the father of her 15-month old girl and another unborn child. The jury returned a verdict of first degree murder which makes the electric chair mandatory.

Judge Hal W. Adams gave Mrs. McCollum's attorney 15 days in which to appeal for a new trial. If an appeal is made and denied, the conviction will be reviewed by the State Supreme court.

Her attorney, Odis Henderson of Jasper, Fla., told the Atlanta Daily World Monday that he would file a motion for a new trial immediately after the Christmas holiday season.

The defense attorney said he would seek a new trial on some 20 grounds.

"We will seek a change of venue," the attorney said, "because we had to accept jurors who had previously been clients of the doctor."

He said he will seek to introduce Mrs. McCollum's 15-month-old child into evidence and is prepared to appeal the verdict straight to the United States Supreme Court.

The trial judge, exercising a right under law to decide whether or not the introduction of the child — alleged to have been fathered by the physician — met a material part of the trial testimony, ruled out her appearance.

Mrs. McCollum alleged that the doctor was also father of an unborn child which she said she lossed while in jail.

She said she had conceived the child nearly two months before the shooting, but alleged she had been intimate with the doctor since 1948 when he came to her home. She further alleged that they had been intimate intermitently ever since.

The 37-year-old mother of three children sat calmy, staring at the ceiling, as the jury foreman read the verdict. No trace of emotion swept across her face.

The drama of the trial reached a feverish climax when Mrs. McCollum took the stand. Unhurriedly, she recounted six years of intimacy with the prominent physician and state senator-elect. Mrs. McCollum said she submitted to Dr. Adams because she was afraid of him.

She told the court that she had one child by the physician and was pregnant by him when he was shot in his office August 3. Mrs. McCollum said the gun fired in a struggle after she rejected the doctor's suggestion of intimate relationship.



MRS. RUBY McCOLLUM

Dr. Adams' widow and his married daughter were not in court to hear the testimony. Mrs. McCollum's husband, an alleged bolita gambling operator, died of a heart disease the day after the shooting.

In his summary to the all-male jury, State Attorney O. O. Edwards attacked Mrs. McCollum's story as "unreasonable and unbelieveable." The prosecution's key witness, Carrie Dailey, testified that she heard an argument between Mrs. McCollum and Dr. Adams about Dr. Adams bill for professional services.

Defense attorney Odis Henderson told the jury that the witness admitted she is hard of hearing, but claims to have heard every word spoken in another room.

Henderson charged further that the state's evidence did not prove that the slaying was premeditated, as is necessary for a first degree murder conviction.

Approximately 150 persons, including 25 or 30 Negroes, were in the courtroom when the jury returned its verdict. The spectators hunched forward in their seats to hear it read. There was no demonstration.

The jury deliberated for three hours.

Judge Adams had refused a defense request to produce the woman's child as evidence. The judge ruled that the youngster would have no bearing on the case.



Witness—Mrs. Thelma Curry of Live Oak, Fla., was nurse and assistant in charge of Negro patients for the late Dr. C. LeRoy Adams for whose murder Mrs. Ruby McCollum was found guilty. Mrs. Curry, although believed to have known real inside story of the case, gave little more than routine testimony at the trial.

McCollum-Adams Trial Highlights

By ZORA NEALE HURSTON

LIVE OAK, Fla.—Here are some McCollum-Adams trial highlights:

Defense Attorney Frank Cannon, Duval County Solicitor for the Criminal Court of Records . . . hired the evening before the trial started.

Mrs. Thelma Curry, receptionist for Dr. Adams, was obviously nervous and spoke almost in a whisper. Judge Adams, with one of his colorful colloquialisms, admonished her:

"Can't you talk no louder than that? Outside of here, we could hear you for half a mile . . . against the wind."

Vero Musgrave, used by the prosecution to place Ruby at the scene of the trial, keeled over during vigorous cross-examination by Cannon . . . and was carried to the hospital on a stretcher. Musgrave is white.

Perfect order prevailed at all times during the trial . . . in court and the city!

Indict 4 In Bomb Probe

By JOHN A. DIAZ

MIAMI—The Federal grand jury investigation of the series of Florida terrorists' bombings last year, that resulted in the destruction of Negro apartments and the deaths of Harry T. Moore and his wife at Mims, brought out its first indictments here last Thursday.

Four white persons, three said to be Ku Klux Klan members, were indicted, but not for the bombings.

The indictments charged them with lying to the grand jury. They were among the scores of persons questioned by the jury during the two months that the hearing has been going on.

• • •

FACING ARRESTS, the four surrendered to Federal officials and were released under $1,000 bonds after being booked and fingerprinted at the United States Marshal's office.

The defendants are: Mrs. Helen Russell, an officer of an organization that had consistently fought Negro occupancy of Carver Village Apartments; William G. Orwick, former officer of the John B. Gordon Klavern; Harvey G. De Rosier and Arthur F. Udgreen, all of the Greater Miami area.

The indictments charge:

Mrs. Russell with perjuring herself in sworn testimony before the grand jury.

Orwick, on two counts, and Udgreen, on one count of making false statements to FBI agents.

De Rosier, for making false statements to the Post Office Department. All face, upon conviction, maximum penalties of five years in prison on each count.

• • •

THE INDICTMENTS were signed by L. E. Broome and Emory S. Akerman, special assistants to the Attorney General, who have been working with the grand jury; Ernest L. Duhaime, assistant United States Attorney in Miami, and Hugh Purvis, grand jury foreman.

Mr. Broome stated that this is only a partial report of the grand jury, and that its work is not finished by any means. Observers have taken this statement to indicate that after the investigation in the Harry T. Moore Christmas night bombing is completed, more indictments are to be expected.

ZORA'S REVEALING STORY OF RUBY'S 1ST DAY IN COURT!

13c Fla

By ZORA NEALE HURSTON
(Famous Novelist, Author, Lecturer)

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"Way down upon the Suwanee River; far, far away—
There's where my heart is turning ever . . ."

SUWANEE COUNTY COURTHOUSE, LIVE OAK, Fla.—Stephen G. Foster could not have envisioned such a scene and situation when he wrote the lines that immortalized the river that flows not too far from this little courthouse . . . and the Negro musical idiom that he loved so well. Foster did lament in another of his world-famous songs that "The head must bow, and the back will have to bend . . . wherever the darky may go . . .".

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Thus it is obvious that he did not contemplate a Negro woman on trial for her life for shooting to death a prominent white physician.

FIGHT ON TO SAVE RUBY FROM CHAIR

But in the Year of Our Lord 1952 . . . we see Mrs. Ruby McCollum seated at the table beside her defense counsel, under indictment of first degree murder . . . for shooting Dr. C. Leroy Adams five times.

Ruby McCollum is not yet on actual trial for her life. The hearing here in the Suwanee County courthouse was announced as a sanity hearing.

Pittsburgh Courier

IT IS HER attorney's opening gambit in the struggle to save her from the electric chair. As the minutes drag on, it develops that it is not really a sanity hearing. It can be put down as a crafty move on the part of her counsel, P. Guy Crews, to disqualify two local white physicians as mental experts, and thus bar them from testifying as to his client's sanity at the time of the slaying.

Under oath, both Dr. Workman and Dr. Price admitted that they had NOT been trained in psychiatry, though Dr. Workman stated that he had had some experience along that line for a year in Cincinnati, Ohio.

With the way thus cleared, P. Guy Crews then besought the court to authorize the prosecution to allow the defense to call in a specialist, at the expense of the defendant, to establish the mental responsibility of Ruby McCollum prior to, and at the time of Aug. 3, 1952, the date of the homicide.

Courier

THERE WAS a pause during which Judge Adams chewed choppily and rapidly on his tobacco! Then he said:—"It is not that I object to it, but I don't know for sure if it is legal." After a minute of reflection, the plea of defense counsel was granted.

Sat. 10-11-52

"SHE'S NOT GOING TO BE MOVED ANYWHERE!"

It seemed to have been done so easily and peaceful like, but there was plenty of battle in the room. No sooner was the defense motion granted than the state's attorney got to his feet and addressed the beach. He suggested that there should be a time limit to this examination by Dr. McCollough, mental specialist of Jacksonville, and that the place of examination should be fixed.

"Oh, I can settle that right now" Judge Adams remarked, sitting informally half way around in the big swivel chair. "She's not going to be moved anywhere. She's going to stay right here in the custody and care of the Suwanee County Sheriff."

"As to the time limit of this examination," the state's attorney persisted.

His Honor agreed with this. He picked up a small notebook, but before he studied it, he fixed both prosecution and defense with his sharp eyes.

1-2-c

"I WANT DEFENSE and state to produce whatever witnesses they feel necessary, and any testimony that will throw light on the case, but no piddling along. We can't be just meeting here forever. I have tried many a homicide case, and I want this one to proceed like all the others. I can't see why this one should have any special interest. Let's have some definite arrangements."

Elbert

After consulting the pages of the book, Judge Adams suggested Monday, Oct. 6, as the date when Dr. McCollough, the specialist in mental diseases must appear before him to state his findings in the case of Ruby McCollum, where he may be examined by the defense counsel, and cross-examined by the state.

HE TALKED FOR THREE WHOLE DAYS

Though everybody concerned spoke in quiet, conversational tones, it was obvious that the state considered that defense was sparring for time, and seeking every opportunity to improve the case for Ruby McCollum, and the prosecutor was there to block his every move.

This was obvious when Judge Adams said that he was ready to hear any witnesses to Ruby McCollum's mental state, "not specialists. Dr. McCollough is a front rank man, but he was before me on another case and talked for three whole days. Any witnesses that either side cares to present?"

The short, plump State's Attorney got to his feet.

* * *

"WE OFFER NO witnesses at this time because we are convinced that the defendant is perfectly sane. We are sure that she knows right from wrong." Then he sat down.

The Negro spectators, all seated in the gallery, leaned forward and all looked in the same direction like cows in a pasture. Their eyes were fixed hopefully on P. Guy Crews. The defense attorney sat quietly in his seat beside the defendant.

"That lawyer is no good" a man in the second row murmured in deep disappointment. "Why don't he let her talk?"

* * *

"THAT'S WHAT I say" a woman's voice grumbled. "He ain't let her say a word since the mess started. Shucks! You can learn more from the newspapers than you can from her."

THAT MAN IS A GETTING FOOL

"Shhh'" Your correspondent whispered over her shoulder. "This is not the kind of session for her to do any talking. Then, too, at regular sessions, at times a lawyer will not allow his client to take the stand to keep the prosecution from getting at them."

"Yeah, he had better watch his step," a tall, middle-aged man beside me agreed, and pointed at the state's attorney. "That man is a 'getting' fool. Never mind about that bald head and him being short and squaddly. He can go for broke. I done heard him at it."

* * *

THIS OPENING move in a tense and terrible struggle for Ruby McCollum's life was about over. Opposing counsel went up to the bench for a brief, whispered conference with the court. Then one could see the people in the room at leisure. Down stairs, where the white people sat, the room was nearly full. Four matrons sat together on the front row. They all leaned forward hungrily to catch every word and every move. The one on the center aisle had brought her son, about two years old.

MOST OF 'EM CAME TO HEAR RUBY TALK

The third one in the row had brought her knitting, and one was reminded of the females of the reign of terror of the French revolution, who brought their knitting and worked away as they cheered the sharp, heavy blade of the guillotine as the bloody heads feel into the basket.

Most of the Negro spectators had come from a distance to hear what Ruby McCollum was going to tell.

Six had come from as far as Fort Lauderdale. Jacksonville was well represented.

Local Negroes were conspicuously absent, with one or two exceptions.

* * *

THE CAST OF MAIN characters was interesting.

The State's Attorney in a rumpled blue suit, with a bald spot on his head so round and exact that it might have been the tonsure of a monk, sat very quietly in his chair.

But when he moved or spoke, he emitted alertness so intense that it was electrical.

CREWS FIGHTING FOR HIS CLIENT

P. Guy Crews, defense lawyer, tall, heavy of body, with his eyes sloping down so sharply at the outer corners that one got the impression that a slight blow, and his eyeballs would run down into his collar. His general expression was the kindly mournful one of a bloodhound. Soft-spoken and ob-

DRAMA On the Suwanee



ZORA NEALE HURSTON

One of America's most illustrious women novelists . . . noted author of "Jonah's Gourd Vine" and "Tell My Horse" . . . will bring to Courier readers, in her own poignant language . . a moving, interpretive, descriptive analysis of the hearings . . . and trial . . . of Mrs. Ruby McCollum.

Native of Florida . . . Mrs. Hurston is a recognized authority on the manners and mores of the people about whom she is writing. She knows the people who live on the banks of the Suwanee River. She knows places like Live Oak, Fla.

With a searching pen . . . she will report the proceedings . . the undertones . . . the overtones . . . the implications!

viously careful not to antagonize the court, he was, nevertheless, mentally on his toes every moment. He was in there fighting for his client.

* * *

HIS HONOR, Judge Adams, was the most dynamic personality in the room. Slender, with his thick graying hair parted on the left and swept back in the manner of the Southern gentleman of generations past, high cheek bones and keen, bright eyes.

His face is reminiscent of three men whose pictures are familiar in history books . . . Patrick Henry, Abraham Lincoln and Jefferson Davis. He chewed his tobacco all through the hearing, kept notes in a ledger-like book, but heard everything that went on. When called on to make a decision, he thought a moment and came out positive and clear. His sentences were gramatically correct, but richly idiomatic. No effort was made to lard them with heavy legal terminology. He talked the common man's law. He allowed his human side to show on occasion.

* * *

FOR EXAMPLE, when defense counsel mentioned the use of two specialists in mental diseases, Judge Adams asked quickly, "Is it necessary to have two? Both the men you mention are front rank men, but I had to listen to three days of testimony from Dr. McCollough in another case. I don't want to do anything to cut anybody off from offering testimony; but I want reasonable progress. Non-expert testimony is wanted today. I'd like to hear it." Who among us has not been bored with tedious, lengthy, technical testimony?

Court was dismissed and some went out hurriedly while others lingered in disappointment of sensational revelations.

The woman who knitted was the last to leave the room.

Florida Court Bars NAACP From Trial Of Woman Charged With Slaying Prominent White Doctor

Judge Says Mrs. McCollum Will Get A "Fair And Square" Trial

LIVEOAKS, Fla., Oct. 6 — (Special) — The NAACP was barred from the trial of Ruby McCollum here yesterday as the 42-year-old woman went on trial for her life in connection with the slaying of C. Leroy Adams, prominent white doctor and Florida State Senator.

A large carnival-like crowd jammed into Judge Hal Adams court and spilled out onto the porch. There was one question on all of their lips, "Why did Ruby shoot a prominent white physician on a quiet Sunday morning."

The answer to this question will determine whether Mrs. McCollum is acquitted or doomed to the electric chair. Defense Attorneys were evidently set on an acquittal for they quickly took the offensive Monday with a plea of insanity.

Attorney John L. Dogdill asked the court to appoint a competent physician or psychiartist to examine Mrs. McCollum. Judge Hal Adams did not immediately rule on the matter.

(In criminal law, a person is not criminally responsible for an act, if by reason of mental infirmity, he is capable of distinguishing between right and wrong with respect to the particular act. Some courts hold, moreover, that a man is not criminally responsible if he is driven to the act by an irrestible impulse, even though he knows such act to be wrong.)

Mrs. McCollum is accused of slaying Dr. Adamas on August 4. There has been no indication as to the motive for the slaying.

Samuel McCollum, Ruby's husband, immediately fled from Live Oak to Zuber, with the three McCullum children: Kay, 11; Sonja, 7; and Loretta, 3½ months.

Judge Adams has said repeatedly that Mrs. McCollum will get a "fair and square trial." He said last week that this case will not be tried in the press.

In line with this, he has failed to make press accommodations available to visiting newsmen. The presiding judge has served as a judge of the Third Judicial District of Florida for 27 years.

There are many rumors on the motive for the slaying Mrs. McCollum, however, has not contributed to them. She has remained silent and uncommunicative.

To save her life, Mrs. McCollum may have to reveal why she shot a doctor in the back three times, after riding to his office in her automobile.

Fla. High Court Affirms Youth's Death Sentence

TALLAHASSEE, Fla. — Ruling an inference he had Communist leanings did nothing to prejudice his case, the Florida Supreme Court last Friday affirmed the death sentence of Orion Johnson, 16-year-old youth convicted of killing the sheriff of Marion county.

Johnson, a Howard academy student at Ocala, was being taken to jail by Sheriff Edward Porter Jr. on suspicion of forgery when the slaying took place. The sheriff was stabbed and shot to death in April 1951.

The Supreme Court gave no weight to Johnson's contention that an attempt during the trial to establish he favored Communism prejudiced the jury against him. The court said an inquiry into the youth's political beliefs "was harmless when considered in context with the entire record and we cannot find that it could have had any effect whatever in the ultimate outcome of the case."

Porter's body was discovered in his car, parked in the woods, several hours after the killing. Johnson was arrested again that night and admitted the slaying. At his trial, he claimed he had killed Porter in self-defense. Johnson said the sheriff had picked him up at school for questioning about a worthless check with which he had bought a white dinner jacket.

Sensational Murder Trial Starts

Ruby McCollum Fights for Life

By ZORA NEALE HURSTON
(Special Correspondent)

LIVE OAK, Fa.—The curtain rises this week on the main act of perhaps the most sensational trial ever held in the South. At that time in the County Courthouse of Suwanee County, in the town of Live Oak, Fla., Ruby McCollom goes on trial for her life for the slaying of Dr. C. LeRoy Adams, a prominent and wealthy white physician and politician.

Ruby McCollom has admitted the slaying of the doctor, but still her act and her defense are saturated in mysteries. Judge Hal Adams, the presiding judge, has announced his determination to see that her trial is fair and just. To that end, he has steadfastly and firmly denied all members of the press access to the defendant. He says that the case is not going to be tried in the newspapers before a jury can be selected.

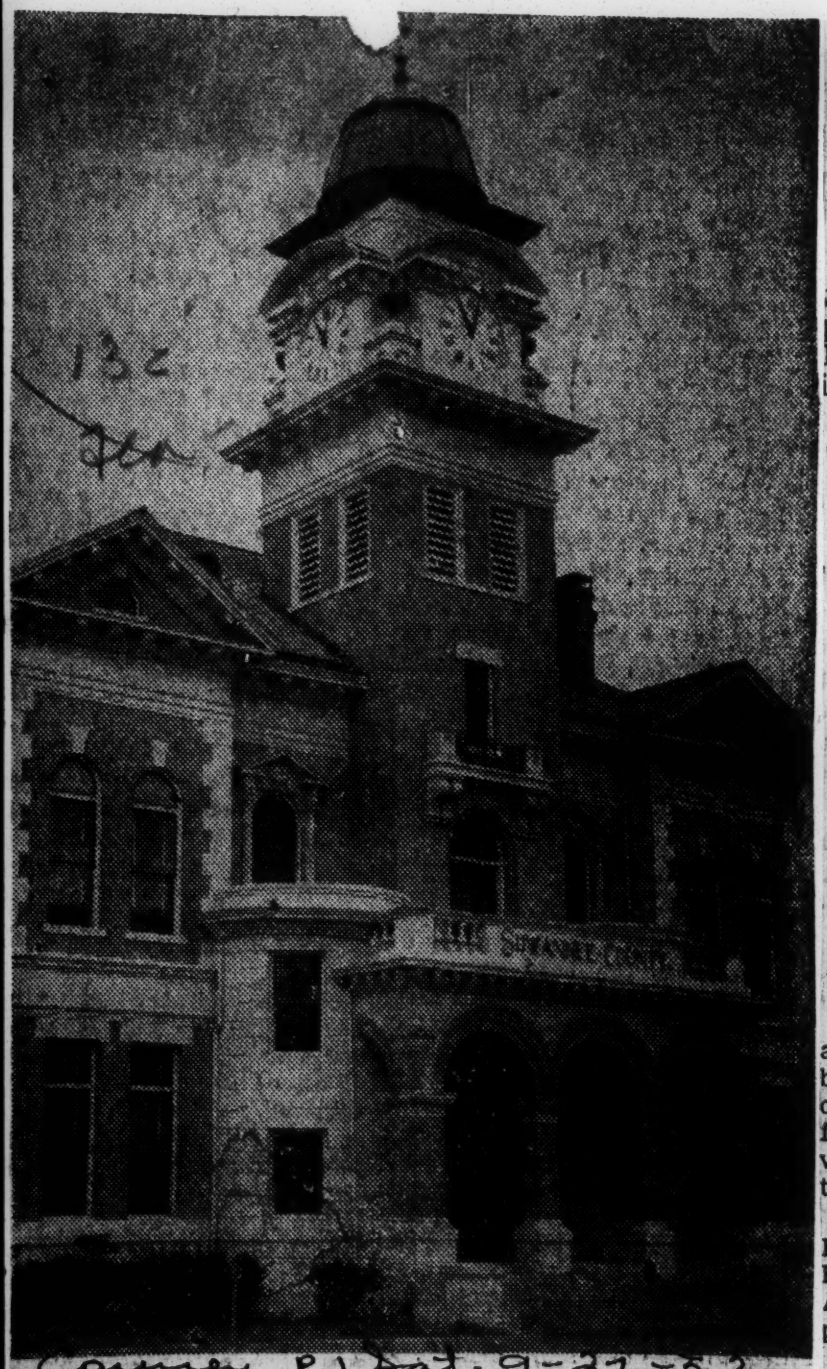
BUT THIS ORDER can have no power over the imagination of the people in and around Live Oak. Ruby McCollom has been enshrined in legend and folk-lore even before her trial begins. Something on the order of Jesse James, the very boldness of her act and the mystery surrounding it, have made of her a heroine to some.

People have had visions about her probable fate, and others have dreamed dreams. "She's going to come clear. I was spoken to in a vision, and the voice told me so. God moves in mysterious ways, His wonders to perform."

A woman who said that she was a "praying and pentacostal" soul asserted, and many others agreed with her. "It did not look possible by the white man's law, but that was the way it was going to be. Look how Paul and Silas had been in jail. The dungeon shook and their chains fell off, didn't they?"

Another school of prophets swear that Ruby McCollom will surely be executed. Several claim to have already seen her spirit in one form or another wandering around free from her imprisoned body. She had appeared in the bedroom of a couple one night in the form of a cat-like animal, and was crying piteously.

To another, she appeared as a woman with the head of an eagle with a flaming sword in her hand in flowing robes, circling their house for three nights running and crying out in defiance. That meant that she was innocent and was going to her death unjustly somehow or another.



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Trial Scene—Here is the Suwannee County (Fla.) Courthouse where Ruby McCollum will go on trial Sept. 29 for the slaying of Dr. C. Leroy Adams, physician and State Senator-elect. The building was completed in 1904.—Rivera Photo.

Insanity Plea Filed for Ruby

Courier P.1 13c Sat. 9-27-52

B-U-L-L-E-T-I-N-!

LIVE OAK, Fla.—Defense attorneys for Mrs. Ruby McCollum, held on a murder charge in connection with the slaying of a white doctor, Saturday filed a motion asking the court to appoint an alienist to examine Mrs. McCollum for insanity at the time she is accused of committing the murder.

By REVELLA CLAY

ZUBER, Fla.—"Please pray for me."

Terrified over the ordeal that she will face Sept. 29 when she goes on trial for the Aug. 3 slaying of Live Oak's prominent white doctor and State Senator, C. Leroy Adams, Ruby McCollum says she has felt the need for God's help in her tragic plight.

From a heavily guarded second-floor prison cell in the squat, red brick jail at Live Oak, — where she met and killed the doctor and where she may hear herself doomed to the electric chair for his murder — Ruby McCollum has appealed to her relatives to, "pray to God for me," a sister-in-law of the jailed woman told us here last week.



Miss Clay

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SARAH JACKSON, the woman who married Ruby's oldest brother, Clemon, sat on the porch of her humble home in Zuber, a frown creasing her forehead, her voice heavy with sadness, and told us:

"I haven't visited Ruby myself. But my husband, Clemon, did. He says she's doing right fair. And she wants us all to please pray for her.

"This thing has hurt us all pretty bad. We feel awful about it. None of us has ever had anything like it to happen. But it's not in our hands now. It's in the hands of the Lord."

There was quiet resignation in the voice of Sarah Jackson, as she looked around the three one-story dwellings that comprise her home out across the village of Zuber.

Courier

IT WAS NEAR Zuber, a small, rural community six miles from Ocala in Kendrix that Ruby McCollum was born. It was here, we were told, that Ruby McCollum grew up from a happy child into a young woman, and married her Sam.

It was here, in Zuber, that Samuel McCollum, Ruby's husband, fled from Live Oak, 104 miles away, with the three McCollum youngsters, Kay, 11; Sonja, 7, and Loretta, 15 months, that fateful Sunday, Aug. 3, when Ruby killed.

It was in Zuber that Samuel McCollum sought refuge and sanctuary at the home of his 86-year-old mother-in-law, Gertrude Jackson, from the terrible thing that Ruby had done, and its possible consequences.

Twenty-four hours after his flight in his automobile, Sam McCollum died, a victim at last and finally to the heart trouble that had plagued him for several of his fifty-one years.

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IT WAS HERE in Zuber that aged Gertrude Jackson was stricken when she learned of what her daughter had done. It is here in Zuber that two of the McCollum children are hiding out.

13c

And it was from Zuber that Gertrude Jackson fled to New Jersey in the company of two of her daughters with 15-month-old Loretta — a child who is a mysterious question-mark about which rumors fly.

Somehow, though sadness was heavy here, and though Zuber has meant much to Ruby McCollum, the rumors that were rife in Live Oak were strangely missing. Live Oak, we had found, alive with whispers, which talked of Mrs. McCollum's alleged clandestine romance, rumors about Ruby's fourth child, Loretta, rumors about narcotics, rumors which hinted that these, among other things, were what caused her to shoot C. Leroy Adams.

But here in the peace and quiet of this community, in which Ruby McCollum was born and reared, such sordid implications were missing.

As Sarah Jackson reconstructed the life of Ruby McCollum it became more and more difficult for us to understand how suddenly on a Sabbath morning, Ruby wound up a killer.

* * *

THERE WAS nothing in Ruby McCollum's early life to presage that at the age of approximately forty-two, her life would be dangling loosely before the electrocutioner's switch.

She was born the second child and the first daughter of Gertrude and William Jackson, in the Jacksons' humble Kendrix farm home, a medium-sized, frame building which housed a family of seven children. They were Clemon, Ruby Myrtle, Cleofus (Buster), Katie, Matthew, Lottie and Vivian Jackson.

The Jacksons lived a simple life, depending mainly on farming for their livelihood. William Jackson, the head of the family, who died in 1949 at the approximate age of seventy-one, planted all sorts of crops, "peanuts, corn and even rice and then peddled them in Ocala" to provide for his wife and children, Sarah Jackson told us.

* * *

LIKE THE REST of her sisters and brothers, Ruby Jackson was raised in the Church. William Jackson was a God-fearing man, and a steward in Ebenezer Methodist Church, which he and his family attended.

Life passed simply for Ruby and in 1929 she was graduated from Fessenden Academy, a good-looking, clean, brownskinned girl in a cap and gown, her long hair tucked up under the cap, a proud tilt to her erect shoulders. Sarah Jackson showed us the class photo of Ruby and Cleman Jackson, both of whom were in the class of 1929.

Two years after her graduation, Ruby Myrtle Jackson was married to her childhood sweetheart, Samuel McCollum, the enterprising young farmer "who'd kinda grown up together with Ruby."

"If I remember rightly, and I think I do, they were married at home — just the family attending," Sarah Jackson said, thinking back over the years, thinking back twenty-one years ago.

shoot a man, a white man, in the back three times, who would ride up in her automobile to the office of the doctor of the town of Live Oak, shoot him and then go home?

Was she different, erratic, unstable, wild, odd, violent, quarrelsome, a bad woman?

Not at all. At least there is nothing in her personality to remind one of violence Perhaps it is her personality which makes Ruby McCollum's crime, murder,

ON THE SAME night that they were wed, Samuel McCollum and his bride said goodbye to their childhood home. A poor but happy couple, with ambition stirring in their hearts, Sam and Ruby McCollum, newlyweds, left Zuber for Nyack, N. Y., seeking opportunities up North.

As accurately as Sarah Jackson could recall, "Ruby and Sam lived in New York for "five or six years." It was here that the McCollum's oldest child, Samuel McCollum Jr., 19, recalled home from school in California by the August 3 tragedy, was born.

Some reports we picked up have it that in New York, Samuel McCollum worked at first on some type of construction job. The family has little to say about it, but shortly Sam was making money, and when he returned to Fort Myers, Fla., Sam was on the way towards the success which was to make him reputedly "the best-off Negro" in Live Oak, financially.

* * *

AFTER LIVING in Fort Myers a couple of years, the McCollums moved to Live Oak, where they made their permanent home until tragedy struck that Sabbath summer morning.

What kind of woman was Ruby McCollum? Restless, shy, extravagant?

What kind of woman is this Ruby McCollum, who would

for which she may die, seem so foreign and alien to her.

* * *

ACCORDING TO ALL reports from whites and colored, relatives and friends alike, Ruby McCollum was a quiet, ordinary, kind, lovable and loving person—"the quietest woman in Live Oak."

Sarah Jackson's description of her sister-in-law was this:

"I've known her practically all my days. She was nice. She treated everyone nice. As I remember her, she was a right good mixer, and kind of humorous. She was quite industrious, and liked sewing and cooking. She was a real mother to the children."

Here Sarah Jackson paused, and we asked "Has she missed the children and are they getting along all right?"

"Yes, she missed them. Clemon said her talk was of them. Of course we'd rather people didn't know where the children are. The devil is busy, you know.

"Of course Ruby isn't a lady of so many words — which I guess the way things are, is better for her. I'd call Ruby a very sound person."

"Were Sam and Ruby happy together?" we asked.

"Oh, yes, they were happy," Sarah Jackson said. "Sam was a very fine person, a wonderful fellow. All of us were crazy about him. The whole family loved him.

"It was such a shock that Sunday afternoon that he came down here and related to us what had happened. That Monday he was a corpse. He went out just like that," she said.

* * *

SHE SAID Sam had made his living in business and farming but did not elaborate.

We learned that Sam reputedly owned a 900-acre farm ten miles from Live Oak, which he purchased recently, rented several houses in Live Oak which he owned, had considerable real estate holdings, and was a stockholder with his brother, Clifford (Buck) McCollum, in the Central Life Insurance Campany.

According to reports, Sam was well-liked in Live Oak by both races.

According to one reliable source, even the editor of the local paper, "who had given Sam a rough going-over when he purchased Federal gambling tax stamps" was impartial and fair in the treatment of news stories dealing with the Aug. 3 murder.

In Live Oak, Ruby McCollum and her husband seemed to live a quiet life. Ruby, we learned, spent much of her time at home in the gracious nine-room McCollum home of stucco, "as fine a looking house as there is in Live Oak."

* * *

BUT SOMETHING happened to Ruby McCollum. No matter how much people whisper and speculate, perhaps only Ruby McCollum herself can tell exactly what it was that happened to her.

But we believe it was something big, something like the kind of thing that could gnaw at a woman's heart, and grow inside her, and possess her, changing her.

We know it was big because whatever it was that happened to Ruby McCollum it was big enough to explode into murder, murder on a morning when Live Oak went to church to worship God.

Yes, a few years ago, something happened to Ruby McCollum. People only hint at it. But the fact is there, unmistakably. Something happened to Ruby McCollum.

She started staying at home, more and more, for one thing.

ONE MAN told us: "I used to see her quite a lot, until a few years back. Then lately, I hardly saw her at all. Just used to see her riding back and forth every now and then. She'd wave and say hello and that was all."

A few years back, Ruby stopped dressing the way she used to, and she let her figure grow out of proportion.

"When she first came here she was attractive, I'd say," a man told up in Live Oak.

"'Course a lot of her good looks was in the way she dressed. She wore good clothes and looked good all the time, and had a trim figure. I guess by having children, though, she lost her figure and got thicker. I'd say she weighs about 175 pounds now and maybe is just a little more than five teet tall or thereabouts. No, I don't think she's attractive any more."

And then it seems, as something happened to Ruby, something also happened to Ruby and Sam. The couple who used to be so happy stopped getting along like honeymooners, according to reliable sources.

A member of the family recalled that they never quarreled. But close friends of Sam said quite bluntly: "For the last two years, they hadn't been getting along."

* * *

ONLY RUBY McCOLLUM knows what happened. She remains as silent and uncommunicative as the brick in the jail which holds her, reportedly behind nineteen locks including an electric one until Sept. 29.

But in the desperate fight that is needed to save her life, perhaps Ruby McCollum will tell.

Judge Won't Let Ruby Talk

By A. M. RIVERA JR.

LIVE OAK, Fla.—A back-country tobacco chewing judge, who looked as though he had just stepped from the pages of an Erskine Caldwell novel, turned thumbs down on Courier efforts to interview Ruby McCollum in her second-story jail cell here last week.

With a flair for the dramatic and obviously enjoying the spotlight of national attention, Judge Hal Adams denied us audience with the woman whose murder of a prominent physician here Aug. 3 startled a nation.



Mr. Rivera

We were sent to the Suwannee County Jail here last Friday from Jacksonville by defense attorney John L. Cogdill with the instructions that the deputy sheriff would admit us.

UPON ARRIVING here, a distance of about ninety miles from Jacksonville, we were told by a clerk in the sheriff's office that Judge Adams had called to say that he wanted to talk with us before we saw Mrs. McCollum and that he would not be available to us until 11 A. M. Monday.

On Sunday morning Atty. P. Guy Crews, the other defense attorney, assured us that he could perfect an audience with Mrs. McCollum and rode with us to the jail here in Live Oak. The jailer refused us admittance and stated it was the judge's orders. On Monday the judge notified the defense attorneys that he would see us in his chambers at 2 P. M.

In the conference with Judge Adams, which was recorded, the judge reviewed his unbiased 27-year-old career as judge of the Third Judicial District of Florida, which he concluded with a denial of our request to see Mrs. McCollum. He lauded a Courier editorial, which had praised him and the law enforcement officers for their alertness and precaution which averted a possible lynching.

THE JUDGE managed to get into the record repeatedly his determination to see to it that Ruby McCollum gets "a fair and square trial." He stated that the Associated Press reports were in error and that he had decided that this case will not be tried in the press.

The 68-year-old pompous jurist told the defense attorneys, who contended in a motion that the denial to let us talk with Mrs. McCollum was an abridgment of the right of free speech and the right of free press, that no reporters would see Mrs. McCollum prior to the trial. He stated further that even at the trial the press would not be recognized and that no press table or special seats would be provided.

At the conclusion of the recorded interview, the judge admitted that this was the first time in the history of the county that such a conference had been recorded. When asked why he took such unusual precaution, he stated, "I just don't know what might come out of this conference."

The recording machine was operated by State's Attorney-elect William Randall Slaughter.

Fla. Bombings Probe Ordered

H. T. Moore Murder Included On List

WASHINGTON (CNPA) — A federal grand jury investigation into Florida bombings, including the bomb - murder of Harry T. Moore, has been requested by Attorney General James P. McGranery, the Justice Department announced last Saturday.

The Federal Bureau of Investigation has been investigating bombings in the Miami area and the murder of Mr. Moore for many months, and Attorney General McGranery said evidence obtained by the FBI will be presented to a grand jury, which was convened in Miami on Oct. 6.

"We believe that there have been violations of the civil rights statutes enacted by Congress to carry out the guarantees contained in the Bill of Rights, and violations of other Federal laws," Mr. McGranery said.

"The grand jury will decide whether the evidence warrants indictments."

Additional Bombings

In addition to bombings of synagogues and Catholic churches, there were bombings of Carver Village, a housing project in Miami which was first offered exclusively for tenancy by white families. Later, a part of the project was offered for occupancy by colored families.

The first explosion at Carver Village occurred Sept. 22, 1951, and wrecked an entire building. Another building in the project was bombed Nov. 30, 1951.

Killed Last Christmas

It is expected that the grand jury also will hear evidence in connection with the bomb-murder of Mr. Moore, who was state co-ordinator of branches of the NAACP in Florida. Mr. Moore and his wife were killed from an explosion of dynamite placed under their home at Mims, Florida, on Christmas night, 1951.

The Justice Department said the investigation will be conducted by United States Attorney Herbert S. Phillips of Miami. Ernest L. Duhaime, an Assistant United States Attorney at Miami, will be aided in the grand jury presentation by L. E. Broome and Emory S. Akerman, lawyers in the criminal division of the Justice Department here.

Indict Fla. Medic's Slayer, Husband Dies

(Earlier Story Page 9)

JACKSONVILLE, Fla. — Mrs. Ruby McCollum, 37, mother of three children, was indicted by a grand jury last week in the fatal shooting of a white doctor Aug. 3 at Live Oak, Fla.

The accused woman's husband Samuuel, stockholder in the Central Life Insurance company, died in Zuber Fla., the day after the shooting, reportedly of a heart attack. He is said to have suffered two or three attacks after being advised to leave Live Oak.

Meanwhile, Mrs. McCollum is still in state prison. No date has been set for the trial. State troopers whisked her off from Live Oak to prison after a mob of 100 persons refused to break up around the courthouse in which authorities were holding the woman.

Slain was Dr. Leroy Adams, 40. Three women waiting in an ante room told police they saw Mrs. McCollum fleeing the office carrying a pistol after shots were heard.

Florida Gov. Fuller Warren sent State's Atty. A. K. Black to the town of 3,500 persons to investigate the case.

TRUMAN ACTION ASKED IN FLORIDA SLAYING

The National Association for the Advancement of Colored People called on President Truman yesterday for fast, resolute action by the Federal Government to bring to justice those responsible for the Christmas bombing that killed Harry T. Moore, Florida Negro leader.

The demand was made in a letter signed by Arthur B. Spingarn, president, and Louis T. Wright, chairman of the board of directors of the association. It was released here by Walter White, executive secretary, who has been investigating the blasting of the Moore home in Mims, Fla.

"Mr. President, the wanton, cowardly murder of Harry T. Moore has shocked and horrified America," the letter asserted, "because of no crime against society, of no behavior that begets violence, and of no beliefs contrary to the proud principles of the American heritage."

"The killer of Harry T. Moore is the assassin of the democratic ideal," threatening all who fight prejudice and bigotry, the letter said, adding:

"If Harry Moore was right, then we say to you most solemnly that the Government of the America in which he believed, and in defense of whose principles he feared not to sacrifice his life, must move with all speed and to the fullest extent to the detection and relentless prosecution of his murderer or murderers."

"We call upon you, as Chief Executive of our nation, to invoke all the powers of the Federal Government to the end that Harry T. Moore may vindicate in death those principles and practices he sought in life," the letter concluded.

Youth Held in Jail 19 Months After Murder Charge Acquittal

TAMPA, Fla., Feb. 27—(AP)—A Negro has been held in jail at Brooksville for a year and a half without a formal charge, The Tampa Tribune reported Wednesday.

He is David Reese, 23, who was acquitted of a murder charge there July 20, 1950.

Records in the Brooksville office of Circuit Court Clerk Leamon Varn showed Reese was held on a verbal order of Judge Fred R. Hocker, issued at the time Reese was acquitted.

Judge Hocker directed a verdict of innocent for Reese on the murder charge but Varn's records said the judge ordered him held as an accessory on the "announcement of the state attorney."

The newspaper reported Judge Hocker did not recall the circumstances of the case.

"If these things are not called to my attention, I have no way of knowing about them," he explained.

State Atty. J. W. Hunter of Tavares, who prosecuted Reese, said, "I haven't seen that man since the trial, but if he's still in jail, I'll call the sheriff and see that he's turned loose."

However, Sheriff Sim L. Lowman was out of the county Wednesday and Hunter could not reach him.

Jailer Bishop Brass said Wednesday night he had not been given instructions by Hunter and was still holding Reese "on the judge's order."

Attorney For Ruby Cautious

By A. M. RIVERA JR.

JACKSONVILLE, Fla.—Atty. Guy B. Crews, defense counsel for Ruby McCollum, was in a rare, talkative mood the Sunday afternoon we met him.

He talked about everything from his former membership in the Ku Klux Klan to Georgia "pot likker hound dogs." An apostle of reconciliation between the North and the South, Attorney Crews is an advocate of racial separatism, whose philosophies parallel the pronouncements of the late Henry Grady.

BORN 57 YEARS ago in Bonifay, Fla., "a section so poor," he said, "that they mated the hens with hoot owls," he stopped school in the eighth grade and went to work at a lumber mill where he lost his right eye in an accident.

As a railroad baggage master, he became interested in law and began to study during his leisure. Later he "read" law under the direction of two judges and was admitted to the Florida Bar in 1920. Since this beginning he has been admitted to all the State and Federal courts.

He was a member of the Jacksonville City Council for four years, first assistant county solicitor for Duval County (Jacksonville) for eight years, and a member of the State Legislature for eight years.

EASILY ONE OF the most colorful members of the Florida Bar, Mr. Crews has handled over 30,000 criminal cases. The most highly publicized success was the verdict of acquittal for Margaret Marshall, charged with the theft of $180,000 from the United States Post Office.

We asked him about Ruby McCollum's chances. He shook his head doubtfully and groaned, "It's going to be a nasty thing." We asked if he planned to put her on the stand, and to this he shot back, "Damn right, I'm going to put her on the stand and if the matter goes to trial there will be some startling disclosures."

That's about all he would say about the coming trial except that he regretted not being able to tell us more about the motive for the slaying. "Criminal trials are won or lost before you get to court," he said, "and I don't want to say anything that might hurt her chances."

We were interested to hear more about his Klan affiliation, and asked when he got out of the hooded order.

"I'm a yellow dog Democrat, and when the South deserted Al Smith just because of his religion, I bolted the Klan. Religion is such a small thing," he said. "I was born a Congregationalist, changed to the Methodist church, married an Episcopalian, hired a Catholic for my secretary, and oh yes, my mother was a Holiness preacher."

Mental Exam Ordered For Mrs. McCollum

LIVE OAK, Fla. — Judge Hal W. Adams appointed Dr. William H. McCullagh, nationally-known psychiatrist to examine Mrs. Ruby McCollum here yesterday after two local general practioners found her sane.

Dr. McCullagh, who practices in Jacksonville, Fla., will make his report Monday, October 6, at a special hearing. P. Guy Crews, chief defense counsel, filed the motion in Judge Adams' court.

Attorney Crews, who is also from Jacksonville, asked that Dr. McCullagh be appointed to perform the examination because he treated Mrs. McCollum in a Jacksonville hospital earlier in the year.

Mrs. McCollum is accused of the fatal shooting of Dr. C. Leroy Adams, well-known Live Oak physician and state senator nominee, on August 3. Dr. Adams was shot in his office.

WOMAN REPORTED SANE

Judge Adams had appointed Dr. J. M. Price and Dr. J. D. Workman to examine Mrs. McCollum. They reported Monday that the accused woman is sane.

After their report, Judge Adams approved Attorney Crew's motion. The defense had claimed that the Live Oak's doctors were not qualified to make such an examination.

After the slaying of Dr. Adams, Samuel McCollum, the defendant's husband, fled from Live Oak to Zuber with the three McCollum children: Kay, 11; Sonja, 7; and Loretta, 15 months. He died shortly afterward.

Although there are many rumors as to the motive for the slaying, Mrs. McCollum has not contributed to them. She has remained silent and uncommunicative.

(In criminal law, a person is not criminally responsible for an act if by reason of mental infirmity, he is incapable of distinguishing between right and wrong with respect to the particular act. Some courts hold, moreover, that a person is not criminally responsible if he is driven to the act by an irresistible impulse, even though he knows such act to be wrong.)

Judge Delay Trial



MRS. RUBY McCOLLUM
. . . fair trial demanded

By ZORA N. HURSTON
(Famous Author, Novelist, Writer)

EXCLUSIVE TO THE COURIER

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LIVE OAK, Fla.—The trial of Mrs. Ruby McCollum, indicted for first degree murder in the shooting to death of Dr. C. Leroy Adams, prominent white physician and political figure of West Florida, was dramatically halted here on the first day last week.

Judge Hal W. Adams, eminent jurist, in whose courtroom the trial was to be held, revealed to a startled, jam-packed audience that Atty. Guy Crews, Mrs. McCollum's lawyer, had been disqualified for working against the possibility of a fair trial for his client.

AS A stunned silence swept the room, Judge Adams said:

"This case cannot proceed further at this time. There has been an unexpected happening.

"Attorney for the defense is precluded from acting further for the defense. The court is astonished, in view of the widespread reports and publicity of this case, from Maine to California, and every part of the United States, that a plot such as I have every reason to believe exists, should have been attempted. The date for this plot is set at more than two weeks BEFORE Oct. 6." (It was on this that the sanity hearing was fixed.)

Judge Adams then proceeded to excoriate Attorney Crews for his bad faith . . . for his attempt to obstruct justice . . . and against a fair and impartial trial for Mrs. McCollum.

The dramatic announcement which was made late in the afternoon, came as a complete surprise to spectators and reporters.

ALL MORNING long, examination of the 112-man panel of prospective jurors had proceeded. From this list forty-six had qualified. Then came the noon recess, with court scheduled to reconvene at 2 P. M.

It was at 2 o'clock that the first break came . . . when Judge Adams announced a further recess because:

"Information has reached me that there is a document in existence, which, if true . . . may bring about a new development in the case."

At 3 o'clock, Judge Adams announced that the document had been discovered in Tallahassee . . . that a state trooper had been dispatched for it!

At 4:15 came the announcement, as Judge Adams once again entered the courtroom with a sheet of paper in his hands. The tightly packed courtroom fell into a tight silence. Tenseness fell like a shroud. Then, stern of mien, the white-haired jurist, standing in the lectern, looked long and earnestly into the face of Mrs. McCollum, before his gaze shifted to the face of Crews.

* * *

AFTER MAKING his dramatic announcement, Judge Adams praised two Associated Press reporters . . . Malcolm Johnson and Bernard Parker . . . "for their forethought and alertness in discovering the plot and promptly notifying the court of its existence."

Continuing, apparently under great strain, the jurist said further:

"I have further and other expressions that I would like to make, and I am gutting my teeth to keep from making them."

Then came the statement which revealed Crews' disqualification:

"Defense counsel is precluded from speaking to me as an attorney . . . but he can speak to me as a man.

"Ruby McCollum must have a fair and impartial trial. She must have new counsel to represent her. I will see to it that she gets it. In justice to the defendant, it is not fair to attempt to proceed until she has sufficient time to be fairly represented. The state attorney concurs with me in this."

Judge Adams originally had planned to delay the trial for ten days, but when the state attorney objected, he set the new trial date for this Monday, Nov. 24.

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Florida

Chill Anxiety Grips Race Where Matron Shot Medic in Florida

By A. M. RIVERA JR.

LIVE OAK, Fla.—Wrapped up in the personality of this little somnolent agrarian hamlet of less than five thousand people are all the traditions, habits, hurts and fears of the Old South. Here, in the heart of the Suwannee Valley in West Florida, immortalized by Stephen Foster's genius, is Live Oak, a town of raw unattractiveness which still lives off the plantation economy of the old bourbon South.

The center of Live Oak's civic life is the court house where business deals are transacted and county gossip exchanged. The business district is almost confined to the traditional Main Street.

NEGROES, WHO comprise approximately a third of the population, work as tenants in a plantation setting; menials and unskilled laborers in the pulp wood industry. Except for public school teachers, it is estimated that less than fifty Negroes have a source of income independent of this employment cast.

The story of Live Oak is the saga of the Old South in microcosm told against a background of the effete culture of an entire section sacrificing its economic progress and its political freedom to the fetish of race supremacy.

It is against this background that the dilemma in which the town finds itself assumes frightful proportions . . . the alleged murder of the town's number one white citizen, Dr. C. L. Adams, by the town's number one Negro woman, believed by most in this region to have been his paramour.

* * *

STILL GROGGY from the effects of this bizarre drama of human conflict, people of both races here virtually tip-toe on a knife edge of suspense awaiting the next chapter . . . the trial of Ruby McCollum.

An assortment of fears has enveloped the entire community, all sorts of fears. The attention of the nation on the impending trial has irritated the leaders here who fear that the story of an illicit interracial love affair will wound the inflexible sensibilities of this typical plantation community.

Negroes whisper the fear that if the story, which is circulated as gospel, is substantially supported at the trial, usual reprisals will result.

* * *

ONE PERSON after another reminded the team of Courier reporters at the scene of the interracial murder, "After all, we've got to live here."

In an effort to get affidavits to support a change of venue on the grounds that a fair trial could not be held in the terror-stricken atmosphere of Live Oak, defense attorneys told the Courier that they had to meet persons willing to make such statements three miles out of town.

Another indication of the apprehension which covers the town like a fall frost was seen in the precaution taken by the law enforcement officers. The jail is guarded at all times by State Highway patrolmen who inconspicuously keep a constant vigil.

TO THE unsuspecting visitor, Live Oak appears to be calm, settled, and back to normal, and it might be; but those who know its personality best likened this ominous quiet to a coiled cobra. Some Negroes expressed the feeling that much depends on how much Mrs. McCollum will tell. They feel that whites are just waiting to see what she has to say.

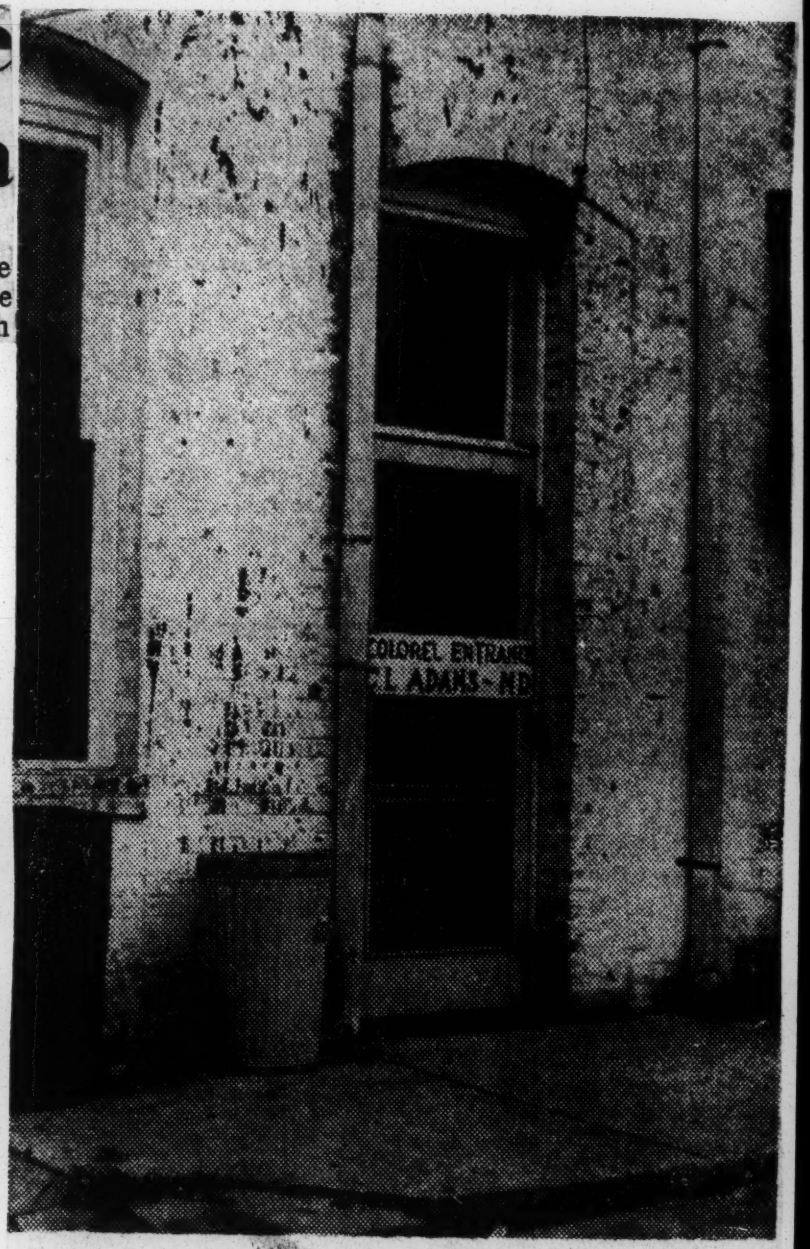
During forty hours of investigation and interviewing we did not get this feeling, however, far from it.

Often traveling in the company of the defense lawyers, we were mistaken for relatives of the McCollums and white filling station operators and others along the ninety-mile run from Jacksonville to Live Oak offered to help in any way that they could. Some expressed disappointment that the request for a change of venue was not granted.

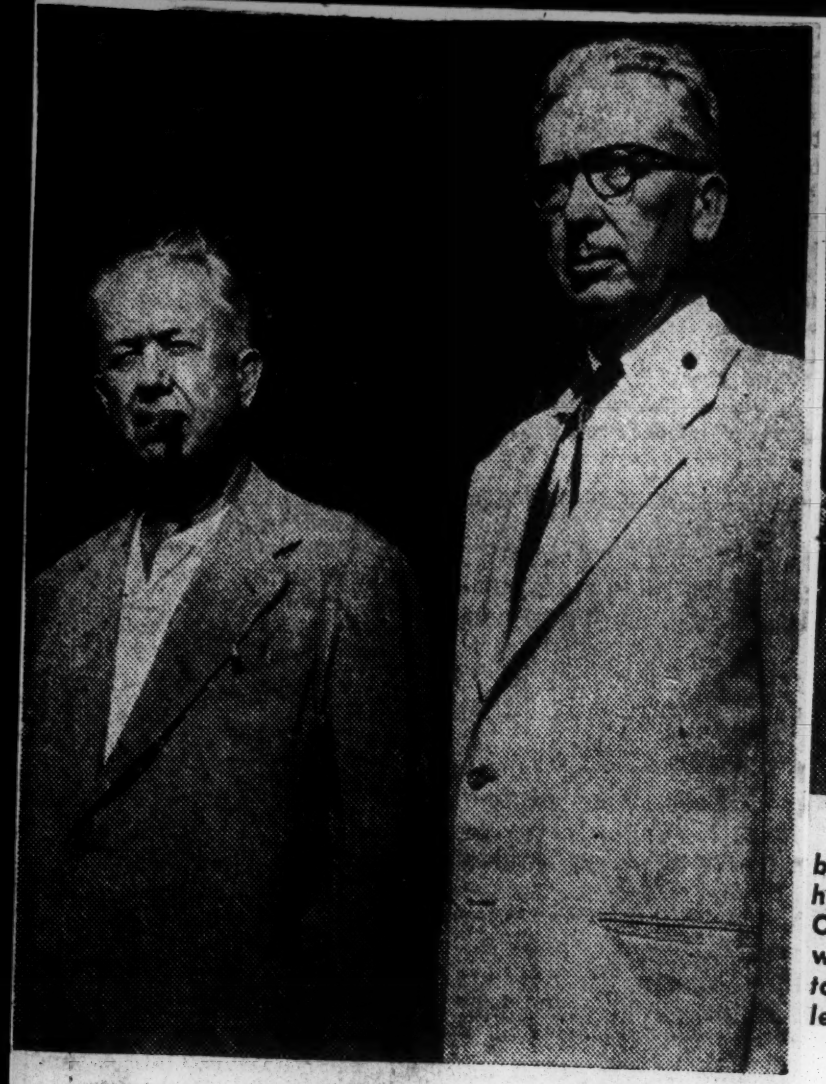
The most graphic cue of the sputtering flame of nascent decency gasping for life here was indicated by a white lawyer of neighboring Lake City, who summed up the case for his satisfaction saying, "The Doc just like the light and the dark meat of the chicken."



The nine-room yellow stucco home of Sam and Ruby McCollum is the show place of the Negro residential section of this sleepy little hamlet of 4,700. No one has dared live in it since the murder of the white doctor Aug. 3.



This is the "Colored Entrance" to Dr. C. L. Adams' office and the door through which it is alleged that Mrs. Ruby McCollum went in to have clandestine relations with the murdered doctor.



These lawyers will defend Mrs. Ruby McCollum. P. Guy Crews, 57, noted criminal lawyer and former member of the State Legislature, and Tennessee-born John L. Gogdill, 50, in what promises to be one of the most sensational cases in the polka-dotted history of this land of many races and tribes. —Rivera Photo.



When Sam McCollum was told that his wife, Ruby, had been arrested for the slaying of Dr. C. L. Adams, he spirited his children away from the highly volatile atmosphere of Live Oak for security reasons. Kay, age 11, and 7-year-old Sonja were here, but Loretta, who is 15 months, had been taken to New Jersey by two aunts. Kay and Sonja are seen here, left to right.

McCollum Arrest Was Pure Luck?

By A. M. RIVERA JR.

LIVE OAK, Fla. — It is frightening to think of what might have happened here in the wake of the pistol murder of Dr. C. L. Adams, popular physician and Senator-elect, if his alleged slayer, Mrs. Ruby McCollum had forgotten that she was a Negro.

There is the possibility that the doctor's alleged killer might still be free. Then there is the horrible thought than an innocent person might have been caught in a web of circumstantial events.

IT IS AGREED, however, even among whites here, that if the accused slayer of Dr. Adams had left the scene of the shooting by the front office entrance, reserved for white patients, she would not have been suspected.

The South had been a good teacher and Mrs. McCollum a good student. Even the excitement of murder could not make her forget that she was to use the rear exit which opened into an alley.

Police said that if Mrs. McCollum had left by the white entrance, in all probability it would have been assumed that the killer was a white person, however, by leaving from the "colored entrance" she was observed by two Negro women.

* * *

MRS. McCOLLUM was arrested at her home less than an hour after the shooting.

There are lurid suggestions of clandestine meetings which gave vent to outpourings of the wildest passions. However, whatever the relationship between Dr. Adams and Mrs. McCollum, the storm and stress of a constitution inured to second class reactions for a lifetime, prevailed in a crisis which may have resulted in the fatal wounding of a lover on the other side of the color line.

Widow Says White Doctor Is Father Of Her Child

LIVE OAK, Fla. — (SNS) — An all-white jury has ruled that Mrs. Ruby McCollum must die for the fatal shooting of Dr. C. LeRoy Adams, prominent white physician, who she said is the father of her 15-month old girl and another unborn child. The jury returned a verdict of first degree murder which makes the electric chair mandatory.

Judge Hal W. Adams gave Mrs. McCollum's attorney 15 days in which to appeal for a new trial. If an appeal is made and denied, the conviction will be reviewed by the State Supreme court.

Her attorney, Odis Henderson of Jasper, Fla., told the Atlanta Daily World Monday that he would file a motion for a new trial immediately after the Christmas holiday season.

The defense attorney said he would seek a new trial on some 20 grounds.

"We will seek a change of venue," the attorney said, "because we had to accept jurors who had previously been clients of the doctor."

He said he will seek to introduce Mrs. McCollum's 15-month-old child into evidence and is prepared to appeal the verdict straight to the United States Supreme Court.

The trial judge, exercising a right under law to decide whether or not the introduction of the child — alleged to have been fathered by the physician — met a material part of the trial testimony, ruled out her appearance.

Mrs. McCollum alleged that the doctor was also father of an unborn child which she said she lost while in jail.



MRS. RUBY McCOLLUM

She said she had conceived the child only two months before the shooting, but alleged she had been intimate with the doctor since 1948 when he came to her home. She further alleged that they had been intimate intermittently ever since.

The 37-year-old mother of three children sat calmy, staring at the ceiling, as the jury foreman read the verdict. No trace of emotion swept across her face.

The drama of the trial reached a feverish climax when Mrs. McCollum took the stand. Unhurriedly, she recounted six years of intimacy with the prominent physician and state senator-elect. Mrs. McCollum said she submitted to Dr. Adams because she was afraid of him.

She told the court that she had one child by the physician and was pregnant by him when he was shot in his office August 3. Mrs. McCollum said the gun fired in a struggle after she rejected the doctor's suggestion of intimate relationship.

Dr. Adams' widow and his married daughter were not in court to hear the testimony. Mrs. McCollum's husband, an alleged bolita

The jury deliberated for three hours.

Judge Adams had refused a defense request to produce the woman's child as evidence. The judge ruled that the youngster would have no bearing on the case.

he slaying was premeditated, as is necessary for a first degree r conviction.

roximately 150 persons, in- g 25 or 30 Negroes, were in the oom when the jury returned rdict. The spectators hunch- ward in their seats to hear it There was no demonstration.

Odis Henderson, Attorney for Mrs. McCollum, told the jury that the witness admitted she is hard of hearing, but claims to have heard every word spoken in another room.

Henderson charged further that the state's evidence did not prove

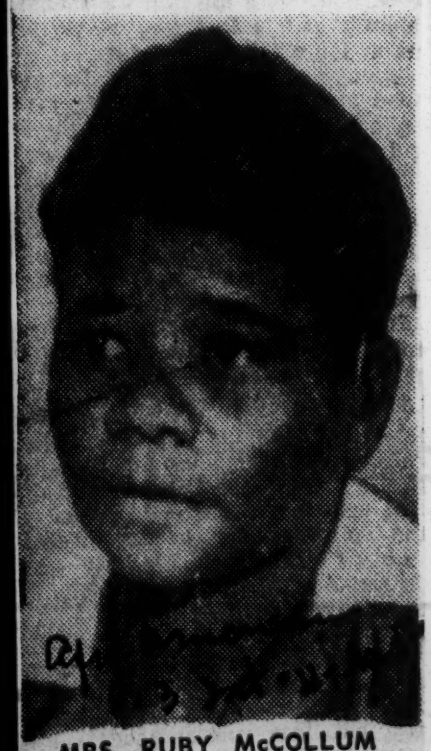
Judge Delays Trial Of Doctor's Slayer

Acts After State Supreme Court Suspends Fla. Defense Attorney

LIVE OAK, Fla. — Suspension of her attorney on a 20-year-old accusation brought an abrupt halt to the trial of Mrs. Ruby McCollum, charged with the slaying of Dr. C. Leroy Adams last Aug. 3, with no date set for the hearing.

The dramatic turn of events followed action of the state supreme court in suspending for six months the license of Guy P. Crews, white, defense lawyer, on a charge that he accepted a fee in a divorce case in 1932. The suspension is retroactive to July 15.

The trial had opened Wednesday morning with the selection of prospective jurymen and at lunch time, when the judge learned of the suspension through a newspaper reporter, the court and attorneys had rejected all but 42 of the 125 white men called to serve on the jury.



MRS. RUBY McCOLLUM

High Court Rebuked

As far as could be ascertained, there were no colored persons among the men called for jury duty.

Visibly angry, Circuit Judge Hal W. Adams, presiding jurist, halted the proceedings with a stinging rebuke to the state supreme court. He said he was "astonished" at the supreme court's action in announcing its ruling against Crews at this time.

Following news of the suspension, Judge Adams conferred at length with Crews, then reopened court and announced publicly that the case was being postponed because of the court's action against Crews, only defense lawyer in the case.

Stifles Violent Urge

After praising the AP for its "alertness," in advising him of the supreme court's order, Judge Adams said:

"We would have proceeded and impaneled a jury and right there we would have been in trouble—and deep trouble — had not the word reached me unofficially.

"I have other expressions I'd like to make and I'm fairly gritting my teeth to keep from making them, but in observing the proprieties I am obligated to as a judicial officer, I will say only that the case cannot proceed further at this time."

Continuing, the judge said that "in the course of activities of mankind, whether they be high or low and in the course of each individual's life, unexpected things will happen.

Judge Doesn't Like It

"It happens in all strata and so it has happened here.

"It has created an unfortunate and regrettable situation from many standpoints and in this particular case, has hampered and hindered fair progress therein and has brought to Suwanee county considerable expense — and to the State of Florida as well — that could have been avoided."

Then, on a motion of A. K. Black, state's attorney, Judge Adams dismissed the prospective jurors and discharged the state's witness subject to further call.

Th judge then said he would listen to suggestions from Mr. Crews as an "interested layman and individual" on further procedure. Crews suggested delaying the trial until Jan. 16. That would cover his suspension period and allow him to resume his role as defense lawyer.

Suggestion Rejected

Obviously rejecting that suggestion, Judge Adams told Mrs. McCollum to get another lawyer and have him in court for a conference on Monday. He assured her, however, that her new lawyer will be given ample time to prepare his defense.

"It would be an outrageous denial of her rights not to give her lawyer a plenty of time," Judge Adams declared.

Were the court to accept Mr. Crews's suggestion to set the trial for Jan. 10, it would reopen the trial some 10 days after the present state's attorney is succeeded by a new prosecutor.

Crews's suspension — based on an accusation by the Florida bar association that he agreed to file a divorce suit in 1932 for Charles R. Abrams, accepted fees for the service but failed to file the suit or return the money — is the second on the same charge.

Resumed Practice In July

He resumed his law practice last July 15 after the close of the previous suspension period. Answering the charge against him, Crews said Abrams "never would come to see me" and never asked for a refund. He said he could not adequately explain the accusation because rats have destroyed his old records.

Explaining the retroactive clause in the suspension order by saying only that a majority of the supreme court had approved it that way, Chief Justice H. L. Sebring said he was not prepared to say what effect the retroactive suspension would have on Crews's practice since July.

The latest six-month suspension of Mr. Crews's license, picking up where the earlier one left off last July, left the status of the attorney's legal activities since July 15 in considerable doubt.

Fla. Medic's Slayer Fights For Her Life

Trial Under Way In Hostile Live Oak; Shock Killed Mate

JACKSONVILLE, Fla. — Mrs. Ruby McCollum, 36, wealthy widow of Sam McCollum, farmer and land owner, went on trial Tuesday in the Aug. 5 slaying of Dr. C. Leroy Adams, white physician in Live Oak.

Although it had been necessary to spirit Mrs. McCollum away from Live Oak at the time of the fatal shooting because of the ill feeling among the white citizens, the judge refused to permit a change of venue for the trial.

Mrs. McCollum was taken to the state penitentiary in Raiford for safe keeping and only returned to Live Oak during the hearing on the motion for a change of venue made by her counsel, P. Guy Crews, veteran criminal lawyer.

Witnesses Hear Quarrel

Crews argued at the hearing that Mrs. McCollum could not get a fair trial in Live Oaks because of the hostility over Dr. Adams' death. A representative elect to the State House at Tallahassee, he was slain in his office while reportedly alone with Mrs. McCollum.

Two patients and a nurse on duty told the sheriff that they heard a loud and violent quarrel going on in the office between Mrs. McCollum and the doctor and then there were shots.

The physician died almost instantly. As soon as he heard of the killing, Sam McCollum, the defendant's husband left the church service he was attending and rushed away with his three small children to Ocala.

However, the shock and fear caused him to be stricken with a heart attack and he died the next day.

Following her indictment on charges of first degree murder the widow has been examined for sanity on two occasions and termed sane each time.

Crews who has conferred with Mrs. McCollum in the Suwanee County jail on numerous occasions says that she expects her action to be vindicated on the basis of the testimony she will give during this trial.

Dec. 16 Trial

Ruby Gets New Lawyer

LIVE OAK, Fla.—The interrupted trial of Mrs. Ruby McCollum for the murder of Dr. C. Leroy Adams will be resumed Dec. 16 in the same courthouse here. Mrs. McCollum will be represented by a new white lawyer, Odis Henderson, of Jasper, a small nearby community.

Mrs. McCollum's trial was dramatically halted with the disqualification of her attorney, P. Guy Crews, of Jacksonville, who had been in the case shortly after the tragic shooting.

Circuit Court Judge Hal W. Adams set the new date after Mrs. McCollum had obtained new counsel.

Matron Faces Chair In Fla., Medic's Death

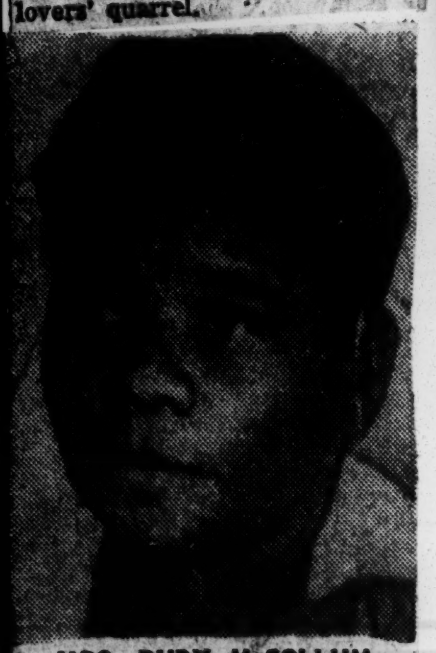
Testifies White Man Fathered Her Child, Sentence Mandatory

(See Photos On Page 2)

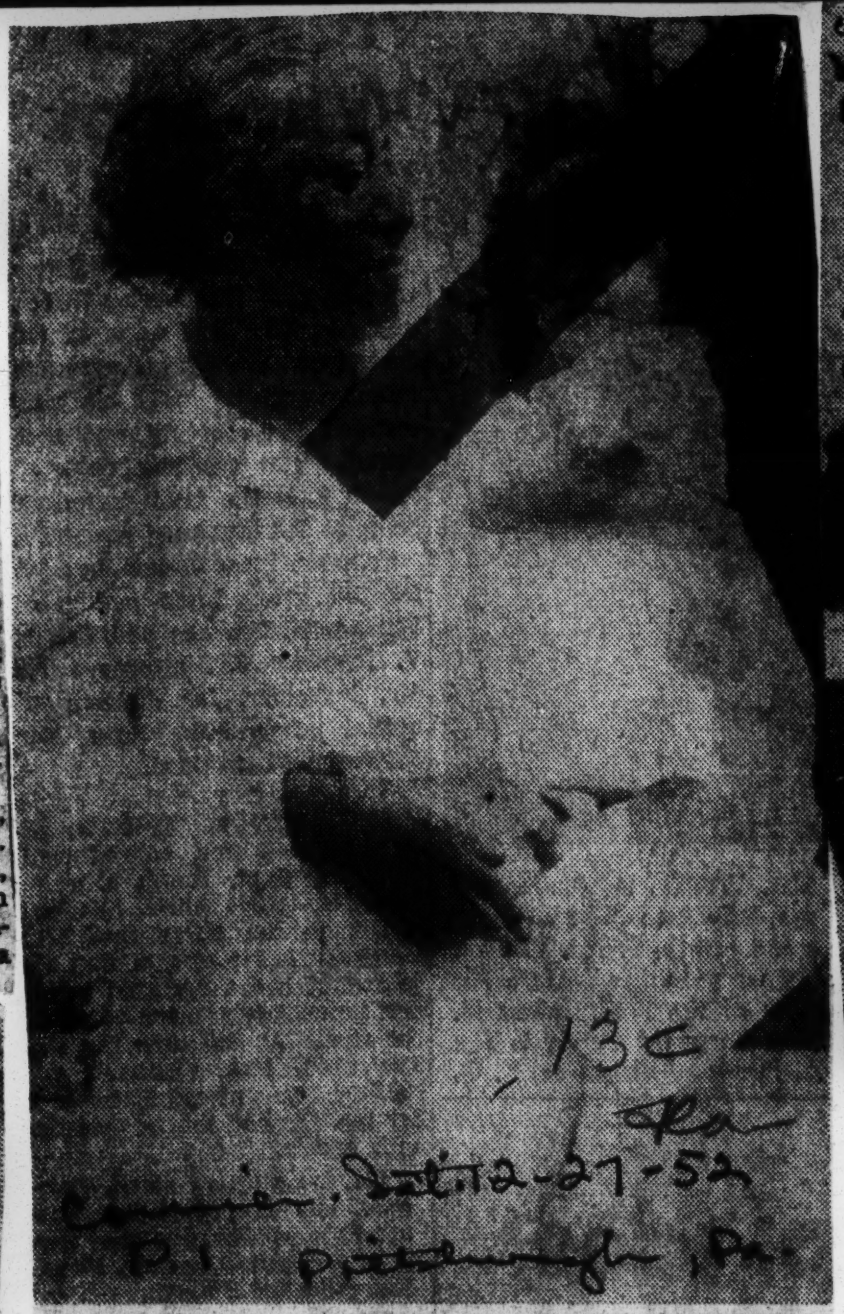
JACKSONVILLE, Fla. — Mrs. Ruby McCollum at 2:30 p.m. Saturday calmly and without emotion heard an all-white jury return a first - degree murder verdict against her for killing a white physician, Dr. C. Leroy Adams.

They did not recommend mercy. Death is mandatory in the electric chair in Florida.

Before the verdict was given, Mrs. McCollum testified that Dr. Adams was the father of her child, confirming a report that had been rampant throughout this community that the killing climaxed a lovers' quarrel.



MRS. RUBY McCOLLUM

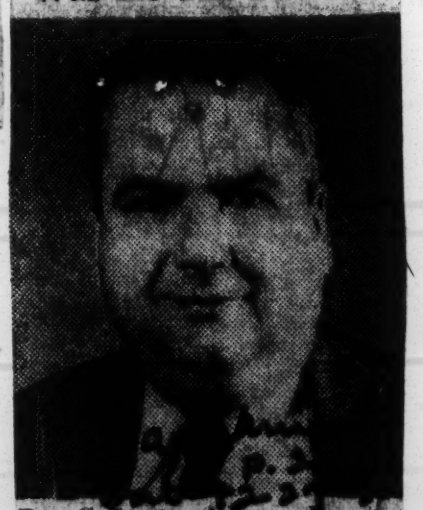


Doctor's Baby?—A friend of Mrs. Ruby McCollum, found guilty Saturday in the slaying of white Dr. C. LeRoy Adams, Live Oak, Fla., holds Mrs. McCollum's youngest child, Loretta, 15 months. Mrs. McCollum testified that Dr. Adams was the father of the child. Holding the baby is Mrs. Marie Williams.



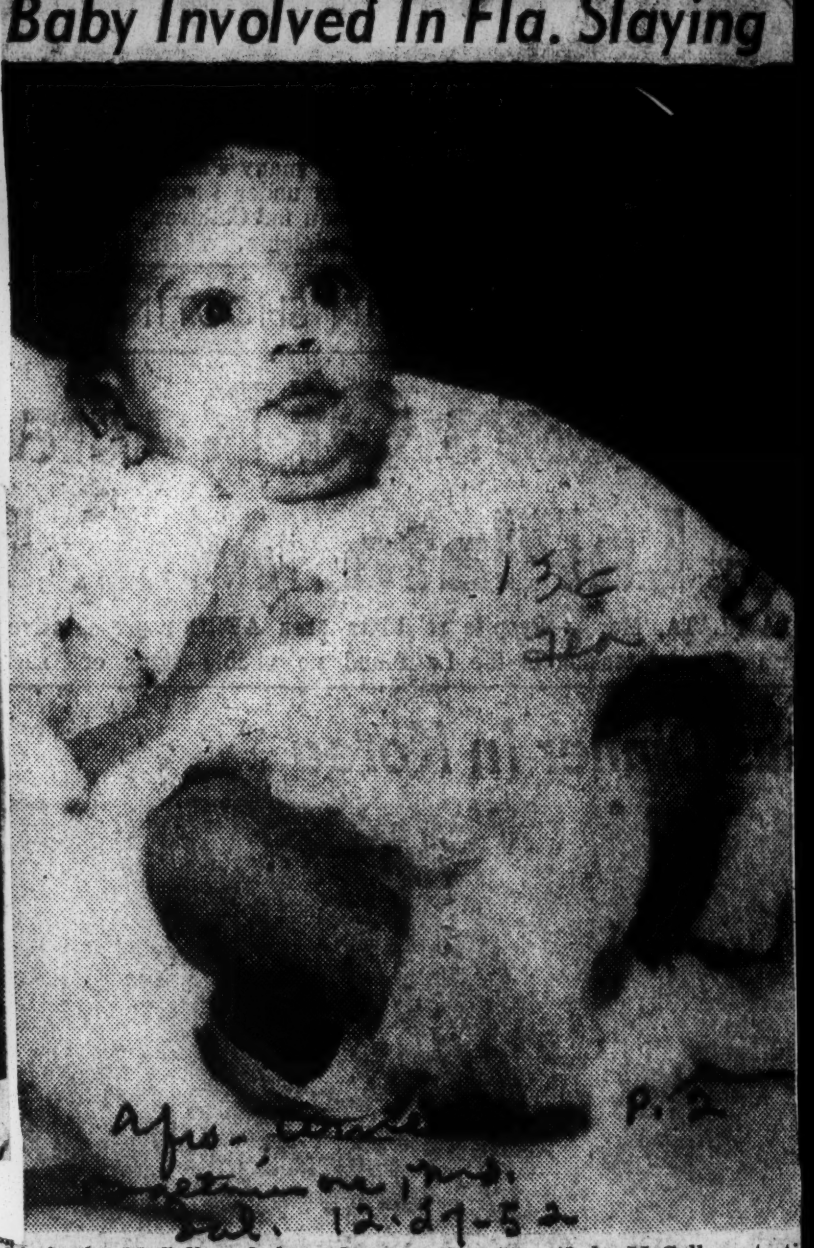
MRS. RUBY McCOLLUM
... the big tragedy

Was He The Father?



Dr. C. Leroy Adams who was fatally shot by Mrs. Ruby McCollum who charged in the court trial in Florida this week that he fathered her baby.

Baby Involved In Fla. Slaying



This is the McCollum baby, whose mother, Mrs. Ruby McCollum, testified in court this week, was fathered by a white physician, Dr. C. Leroy Adams. Mrs. McCollum is facing the electric chair in the fatal shooting of Dr. Adams earlier this year.

13c 1952

No Hard Feelings, He Won't Ask Damages

BROOKSVILLE, Fla. — Freed rom jail 19 months after his acquittal on a charge of killing a white man, David Reese, 23, said he had no hard feelings against authorities for his imprisonment, and does not plan to sue the State for damages.

According to Sheriff Sim L. Lowman, Reese had been held in jail on verbal orders of Circuit Judge Fred B. Hocker since the same judge ordered his acquittal of the murder charge July 20, 1950. He was held at the request of State's Attorney J. W. Hunter.

Apparently both the judge and the State's attorney forgot the man was in jail, the former being quoted as saying he didn't recall details of the case and Hunter as saying "I haven't seen that man since the trial, but if he's still in jail, I'll call the sheriff and see that he's turned loose." He did.

"Sprung" By Newspaper

Reese, who was "sprung" as the result of a story in a Tampa newspaper, was being held as an "accessory and witness" in the case of Willie Timmons, co-defendant with Reese in the 1950 trial, who was convicted of first-degree murder, that conviction being reduced to manslaughter last week by the State Supreme Court.

The man told newsmen following his release, that he had not made any attempt to gain his freedom, adding that after 11 months he was given the "run of the court house" and permitted to go across the street to a restaurant to purchase food.

Asked on what charge Reese had been held all this time, Judge Hocker asserted: "I don't know. That's not my business. Ask the State's attorney." State's Attorney Hunter said that under Florida law a witness could be jailed "by proper court order" without a specific charge against him.

Fla. Murder Trial Delayed

Mistrial Declared After Juror Is Lost

JACKSONVILLE, Fal.—A new date is to be set for the trial of Johnnie Williams, accused of the first-degree murder some months ago, of Loyce Crews, a white coworker in a wholesale butcher shop.

The case, which opened last Monday, was declared a mistrial by Circuit Judge Claude Ogilvie, because one of the jurors was not a qualified voter in this county (Duval).

Rufus A. Heavener, the juror, answered affirmatively when asked in the usual questioning of the venire if he were a qualified voter.

Dropped From List

But on arriving home for lunch, he found an unreturned voting questionnaire card and, on inquiring at the supervisor of registration's office, found he had been dropped from the voting lists.

The juror re-registered and told his story to Judge Ogilvie following the noon recess.

The judge, however, pointed out that the past Legislature established the additional qualification of being an elector. In his opinion, he added, the lack of qualification could not be waived either by the court or the attorneys in the case.

Suspect Had Motive

Sam B. Wilson and William B. Dawson 3d, represented the accused on Monday; and H. W. Fishler, assistant State's Attorney, was to have directed the prosecution.

It was alleged that Williams stabbed Crews to death after many instances of being intimidated by the victim while they worked together for a number of months.

Williams' "cup ran over," it was said, just before he killed Crews with a sharp boning knife used in his work at the meat plant.

Date for the new trial has not yet been set.

Florida

FLORIDA COURT RULES OUT DEATH SENTENCE

By International News Service

TALLAHASSEE, Fla.—The Florida Supreme Court Friday reversed the first degree murder sentence of a Brooksville man and ruled that his death sentence be reduced to a manslaughter conviction.

Willie Timmons, Negro, was convicted of killing William Langston in May of 1950.

Langston served as an unofficial investigator for the Hernando County sheriff.

Killings Hit By Scientists

Urge Prosecution Of Fla. Hoodlums

NEW YORK — President Truman and the Attorney - General should promptly "find the means to bring to justice the assassins of" Mr. and Mrs. Harry T. Moore in Mims, Fla.

So a group of 45 professors, research scientists and graduate students in the bio-chemistry department of the College of Physicians and Surgeons of Columbia University declared in a statement made public here last Thursday.

Alarmed by inaction in the Moore case since the fatal bombing of the couple in their home last Christmas night, the scientists, sent their statement to the President and Attorney - General urging them to move "without regard to the obstructionist actions and views of any Florida officials."

Man Wins Freedom After Being Held 18 Months

By International News Service

BROOKSVILLE, Fla.—A 23-year old Florida man was free Thursday after spending 18 months in prison despite his acquital on a murder charge.

The hapless prisoner, David Reese, received a directed verdict of not guilty in Brooksville Circuit Court in July of 1950.

But according to information unearthed by the Tampa Tribune, he was ordered held as an accessory by the judge who found him innocent.

Records in the Circuit Court showed that Reese was to be held pending an "announcement of the state attorney."

The state attorney, J. W. Hunter of Tavares, denied knowing that Reese was still in jail. The judge, Fred R. Hocker, told the newspaper that he did not recall the case, and added

"If these things are not called to my attention, I have no way of knowing about them."

Reese's attorney, who said he was actually hired to represent an accomplice who was convicted of murder, said he naturally assumed Reese would be released after the verdict.

The jailer in the case said he continued to hold the man on the original order from the judge.

All concerned got together Thursday and Reese was made a free man.

Slayer of Florida doctor is indicted

LIVE OAK, Fla., Aug. 9—(AP)—A Grand Jury returned a first degree murder indictment Saturday against Mrs. Ruby McCollum, 37-year-old Negress, in the fatal shooting here last Sunday of Dr. C. Leroy Adams.

Sheriff Sim Howell said about 20 witnesses appeared before the Grand Jury. Mrs. McCollum, widow of a wealthy Negro farmer and alleged bolita operator who died of a heart attack the day after the shooting, is still at the state prison at Raiford where she was taken after the shooting, the sheriff said.

He said she would probably remain there until her trial. No date for a trial has been set, Howell said.

Adams was a popular doctor here and Democratic nominee for the state Senate. He was shot and killed in his downtown office, apparently in a dispute over a medical bill.

Widow Faces Murder Trial

Matron Held In Fla. Medic's Death

LIVE OAK, Fla. — The interrupted trial of Mrs. Ruby McCollum, 37-year-old mother of three minor children has been reset after it was halted last Tuesday during the selection of a jury which was to try her for first degree murder in Circuit Court here.

Trial now has been set for Dec. 16 in the same courthouse with a new white lawyer taking over her defense.

The trial was ordered halted abruptly when official announcement was made of the with drawal of her attorney, P. Guy Crews of Jacksonville—who had been in the case since shortly after Mrs. McCollum allegedly shot to death Dr. C. Leroy Adams, white physician and state senator — nominee, in his office the morning of Sunday, Aug. 3.

Pronounced Sane

Circuit Court Judge Hal W. Adams, lanky white-haired jurist, denied insanity pleas on behalf of Mrs. McCollum.

It has been said in certain quarters here that the slaying apparently climaxed an argument between the defendant and the doctor in relation to a doctor's bill, but that story is doubted by large numbers who have awaited the trial with much anxiety and interest.

There was no eyewitnesses to the killing, but there were three colored women, two patients of the doctor and his nurse, sitting in the adjoining reception room of the doctor's office, who have testified they heard loud talk exchanged between Mrs. McCollum and the doctor and then heard two shots.

License Suspended

The trial was postponed more than a week ago when the State Supreme Court suspended Lawyer Crews. His license was suspended for six months, retroactive to July 15 when an earlier three-month suspension ended. He was accused of agreeing to file a divorce suit and accepting fees but not filing it and not returning the money. The case dates back 20 years, court attaches state.

Judge Adams, no relation to the dead doctor, named the new Dec. 16 trial date, after a conference with the defendant and her new attorney, Odis Henderson of Jasper, a small community in this court's circuit.

Willie Timmons

Spends 2 Years In Death House

By JOHN A. DIAZ

RAIFORD, Fla. — Deploring the cruelty of holding a prisoner in the death cell after his sentence has been changed, the attorney for Willie Timmons, who is in the state prison here, has appealed to the Governor for the man's release, the attorney told the Courier last week.

For slaying a white special deputy sheriff, two years ago, Timmons, 22, was convicted and sentenced to the electric chair. He appealed to the Florida Supreme Court and was ordered resentenced for manslaughter.

TIMMONS, HOWEVER, has not been resentenced, but is still being held in the death house, although the first degree murder conviction and death sentence against him has been voided since last Feb. 22.

Timmons' attorney, Burton G. Henson of Tampa, has declared that holding him in the death house is "cruel and unusual punishment when he is only guilty of manslaughter." Henson said it is unconstitutional from both a Federal and state standpoint.

Henson told this writer he has written Governor Warren, State's Attorney Jesse Hunter of Tavares, Prison Superintendent Chapman, and Attorney General Richard W. Ervin about the case, but "everybody is passing the buck."

* * *

HENSON SAID he never heard of such handling of a case. He said:

"I can't do anything. My hands are tied."

Timmons, sentenced in Brooksville July 17, 1950, was given a reduced sentence because the Supreme Court said:

"We do not think there is any theory on which a judgment of murder in the first degree can stand. The deceased was not a duly elected or appointed deputy sheriff or police officer at the time of the tragedy. He had no warrant or authority to search the premises. The jury was not kept together during the trial as the law requires and other irregularities took place during the trial that should not have been permitted."

Manslaughter carries a maximum prison penalty of twenty years. Timmons said he killed Langston, who was armed, after the sheriff's friend ordered him to halt with a threat to shoot him. Timmons said he was afraid of Langston because he previously had been beaten and threatened with death by the sheriff and his friend.

* * *

REESE, ALSO charged in the shooting, was acquitted when Timmons was sentenced, but he was ordered orally by Judge Fred R. Hocker to be held as an accessory on the "announcement of the state attorney." Reese remained in jail, without any formal charges, until the Tribune learned of it over a year and a half later.

FLORIDA NEGROES CHARGED WITH MURDERING WHITE MAN HAVING ROUGH REPUTATION

Slain Man Was Enraged Because He Could Not Pass Truck Stalled by Blacks

BLOW FROM BEHIND STOPS BULLY FROM SHOOTING

MONTICELLOR, Fla. — (ANP) — Three Negroes have been indicted and five others are being held as material witnesses in connection with the fatal beating of a white man who reportedly was "rough" on Negroes here.

The men indicted last week for the beating of James Chancy are Tom C. Huntley and Samuel Huntley on first degree murder charges, and John Henry Graham as an accessory to the beating. Names of the five material witnesses was not discloced.

The Huntley's were being held without bail in the state prison at Raiford, Fla., and Graham is in the Jefferson county jail here.

The beating of Chancey had created a tense feeling in this North Florida city and it was believed that only fear of action by the NAACP kept down a riot.

Chancey was supposedly beaten with a heavy club and chain on Mar. 8. He died the next day. A truck body stake has been identified as the murder weapon.

Testimony revealed that the Huntleys had driven their truck into a ditch on the highway with the back end protruding across the road. Graham was helping them to get the truck back upon the highway with his car.

Chancey could not pass and ordered the Negroes to get their truck out of the way. His curses and threats, according to the testimony, led to an argument which resulted in his going back to his car and securing a shotgun.

Chancey's reputation in the area, it was learned from investigation, is that he was very prejudiced and a "rough character" with Negroes. As he came upon the men bellowing curses and threats, one of the Huntley's slipped behind him and hit him with the club, knocking him down, according to testimony.

Graham is reported to have run from the scene after the others to "kill that so-and-so."

According to testimony, the Huntley's beat Chancey with the club and chains until he was unconscious.

Friends and relatives of the Huntleys and Graham said they could not secure legal aid for defense. Not one attorney would take the case.

Information relative to a conference between a Tallahassee Negro attorney and a white lawyer here disclosed that a deal is in the making to hush-hush the case for the release of Graham, who was only charged as an accessory.

It was learned that white people here are fearful that if the NAACP enters the case much bad publicity will be given the county and state. It was also learned that the courts fear that if the NAACP defends the Negroes they will not be convicted of murder, but will be acquitted on a clear case of self defense.

Jefferson county is one of four counties in the state where there are no colored persons registered for voting.

Insanity Plea Entered For Florida Housewife

(Special to the AFRO)

JACKSONVILLE, Fla. — Mrs. Ruby McCollum, housewife and mother of four children charged with the fatal shooting of white doctor, may not come to trial after. all.

On Saturday, an insanity motion was filed in her behalf before Judge Hal Adams in the Third Judicial Circuit Court at Live Oak, Fla. A hearing on the motion is set for 2:30 p.m. on Monday.

Mrs. McCollum was indicted on a charge of first degree murder following the death of Dr. C. Leroy Adams, white, in his office on Sunday, August 3.

Objects To Plea

P. Crews, attorney for Mrs. McCollum, told the press shortly before the motion was filed that Mrs. McCollum remained stoic and sullen and had expressed some objection to the filing of the insanity plea.

Immediately following the shooting, the small community of Live Oak was the scene of threatened mob violence but a flareup was averted. However, the death of Mrs. McCollum's husband from a heart attack has been attributed unofficially to the fear that gripped the community.

Circumstances surrounding the alleged shooting have not been disclosed, though some patients in the doctor's office at the time have reportedly stated that the matron and the doctor argued over a bill.

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NO FLA. ARRESTS

'State Jittery,' Ratcliffe Reports

LIPS SEALED?

Courier P. 1

By JOHN A. DIAZ
(Special to Courier)

Dat. 1-12-52

MIMS, Fla.—"I know who did it!"

Those words were spoken by Mrs. Harriet Moore, then the widow of Harry T. Moore.

They were spoken moments after her husband had breathed his last.

But . . . The big question now is: Did she tell who did it?

Did she whisper the fatal names into the ears of the FBI agents



By ROBERT M. RATCLIFFE (Courier News Editor)

Pittsburgh Pa. P. 1 13c

MIMS, Fla.—The State of Florida is in "one hell of a fix."

Her gun-toting and bomb-tossing hoodlums have gone too far in their Klan-like and gangster-type attacks on Negroes, Jews and Catholics. The entire state is a bunch of nerves and pressure from the outside is beginning to take its toll. Courier Dat. 1-12-52.

They blasted the NAACP's Harry T. Moore and his school-teacher wife, Harriet, out of their beds Christmas night. Harry T. Moore, the man who fought for equality . . . and wasn't afraid to die . . . was buried in an orange grove near here on New Year's Day. His wife died in a Sanford, Fla. hospital last Thursday.

The hate-bomb that killed Moore and his wife brought the wrath of the NAACP and other national organizations upon the heads of Florida's governmental officials.

But, that wasn't all! Florida is feeling pressure from other sections. It has been reliably reported that the state has lost over $100,000 in tourist trade since Jews and Catholics were made targets of bombing attacks.

"POISON IN THE SUNSHINE"

Another significant warning to the State of Florida was received last week when an unidentified man placed an advertisement in the travel section of the New York Times. Known only as an "outstanding man" who is believed to be a Catholic or a member of the Jewish race, he placed a one-column, three-inch ad which read:

"Poison in the sunshine? Boycott. Bombings in Florida. This is America where Catholic, Protestant and Jew alike, regardless of color or national origin, are entitled to 'life, liberty and the pursuit of happiness.' Florida Citizen. Let's keep America strong."

As of this moment, no arrests have been made in connection with the brutal murders of Mr. and Mrs. Harry T. Moore, although $20,000 in rewards have been posted. If Harry Moore knew who placed the highly explosive bomb under his house, he didn't live long enough to tell it.

Mrs. Moore had said she thought she knew who did it, but fear may have kept her from revealing the information to investigating officers. Walter White has openly said he has the names of three men who once threatened Mr. Moore. What police officials will do with this information is not known.

Mr. Moore's funeral here New Year's Day at St. James Baptist Church was touching, but without too much fanfare. More than 500 persons, fifteen of them members of the Civil Rights Congress from New York and Philadelphia, attended.

SEVEN FBI MEN ON JOB

At least seven FBI men were on the job. Two of them, according to reports, were Negroes. Headed by J. J. Elliott, special investigator for the Governor of Florida. Police officials searched every nook of the church hours before the funeral. It was feared that hoodlums may have planted bombs in the place of worship.

The NAACP's Walter White, who arrived shortly after Moore was blasted to death, had returned to New York on business and was unable to get a return plane reservation here in time for the funeral.

It was reported that Mr. White made an effort to have the funeral set for Thursday of last week, but that the Tuesday funeral date was used as a means of preventing Mr. White from attending.

General opinion was that Mr. White's appearance at the funeral would create new excitement inasmuch as the NAACP executive secretary and the Governor of Florida had exchanged heated words over the bombing.

Florida NAACP officials denied this, however. They insist that the funeral was not held on Tuesday to keep Mr. White from putting in his appearance.

Mrs. Moore died Thursday while state police officials were questioning her. Hospital attaches said a blood clot caused death. She did not attend the funeral of her husband, but did visit the Burton Funeral Home in Sanford to view the body hours before funeral time. Doctors believe this absence from the hospital may have hastened Mrs. Moore's death.

Why Moore's home was bombed remains a big mystery. He had served as paid secretary for the Florida State NAACP Conference but recently was given the unpaid job of coordinator for the state NAACP. Moore's prominent connection with the Progressive Voters' League in Florida is believed by many here to have brought about his change of position with the Florida State NAACP.

Moore operated in rural towns and is known to have demanded an attack on an eleven-year-old Negro girl by three white men. In none of the cases had any arrests and convictions been made and obtained, he pointed out.

"These are samples of the unpunished crimes against Negroes in Florida now highlighted by the assassination of Harry Moore and his wife and by the spreading of mob violence against Jews, Catholics and others," Mr. White declared.

NEW YORK—Walter White, executive secretary of the NAACP, has issued an urgent appeal for funds to be used in prosecuting the NAACP's action in the fatal hate-bombing of the late Mr. and Mrs. Harry T. Moore in Mims, Fla. White said, "There is grave doubt either Florida or Federal authorities will apprehend and adequately punish the perpetrators unless the NAACP is able to continue its efforts. We cannot do so unless we have funds."





Leader's Last Rites—Florida is mourning the late Mr. and Mrs. Harry T. Moore. These scenes are from the funeral of Mr. Moore at Mims, Fla., on New Year's Day. Left: Walter White, NAACP exeutive seretary; Paul Perkins (left), Groveland case attorney for the NAACP, and J. J. Elliott (right), spe-ial investigator for the Governor of Florida, examine bed-springs, part of the bed on which the Moores were sleeping when the fatal hate-bomb exploded. Center: Part of the crowd at Mr. Moore's funeral. Two white men in picture are Assistant State Attorney Hubert Griggs (left, with glasses) and J. J. Elliott (dark glasses), state prober. Right: Pall-bearers remove casket bearing Mr. Moore's body from hearse to open grave in LaGrange Cemetery near Mims. The Rev. J. W. Burno, officiating minister, is at extreme left.

NAACP Cheftian Lauds Courageous Career of Floridian

MIMS, Fla.—There was bitterness in Walter White's voice last Thursday when he said that Harry T. Moore had been killed and his wife critically wounded "because he had dared to speak out and work for enforcement of the law." There was bitterness because a trusted and valued NAACP staffman had paid with his life for his fight for his people.

At this time, Mrs. Harriet Moore, widow of the slain NAACP Florida coordinator, had not answered the final summons, but she lay critically wounded in a Sanford hospital. It was the first time in the memory of this generation that a ranking NAACP official had made the supreme sacrifice for the cause of racial advancement.

LAW, ORDER BREAK DOWN

Perhaps that was why Walter White was so bitter as he denounced the infamous chain of events which culminated in the fatal bombing of the modest Moore cottage here early Christmas morning. Mr. White was clear in his denunciation of the failure of Florida to maintain law and order.

"Today I turned over to the FBI the names of three persons who allegedly have recently advocated mob action against Mr. Moore," the NAACP chieftain said. "They are not the only ones who have voiced resentment against him."

"Repeatedly, since August, 1949," Mr. White continued, "he had written to Governor Fuller E. Warren urging him to assign trustworthy persons from the Governor's office instead of Sheriff Willis McCall of Lake County to transport Samuel Shepherd and Walter Irvin from the state prison at Raiford to Tavares, Lake County county seat, for a hearing on a motion for a change of venue in the new trial which had been ordered by the U. S. Supreme Court.

"The entire world knows what happened because of Governor Warren's refusal to act as requested by Mr. Moore," he added.

SAMPLE CASES

Mr. White cited Mr. Moore's fight against the Democratic "white primary" in Florida, and traced deeds of violence against Negroes in Florida in 1951, including a number of beatings and

Man Released 1½ Years After His Acquittal

BROOKSVILLE, Fla., Feb. 28—(AP)—Sheriff Sim L. Lowman Thursday released a Negro held in Hernando County jail here a year and a half after he was acquitted of a murder charge.

No formal charge had been placed against David Reese, 23, during that time.

Sheriff Lowman said Reese had been held on verbal orders of Circuit Judge Fred R. Hocker as "an accessory and witness" in the case of Willie Timmons, 22, another Negro.

On July 20, 1950, Judge Hocker directed a verdict of innocent for Reese in the slaying of Seavey C. Langston, who was helping Sheriff Lowman during a bootlegging raid.

Timmons, co-charged with Reese, was convicted of first degree murder. Only last week, however, the state Supreme Court ordered this sentence set aside and directed that Timmons be sentenced for manslaughter.

Sheriff Lowman explained he had planned to ask Reese's release at the term of Circuit Court opening Tuesday.

Uphold Death For Slayer Of Fla. Sheriff

TALLAHASSEE, Fla.—The Florida Supreme court last week upheld the death sentence of Orien Johnson, 16, convicted of killing the sheriff of Marion county in April of 1951. Johnson asserted at the time of his arrest that he is a Communist.

The court tossed out Johnson's contention that an attempt to link him with Communism had prejudiced the jury against him.

An inquiry into the youth's political background, said the court, showed that his political experience was "harmless when considered in context with the entire record and we cannot find that it could have had any effect whatever in the ultimate outcome of the case."

"Testimony overwhelmingly supports the verdict of guilt, and, in fact, the appellant freely admitted that he committed the homicide," the court declared.

The sheriff was stabbed while he was taking Johnson to jail on suspicion of forgery.

Charges Error in Trial of Negro Convicted for Killing Ocala Sheriff

TALLAHASSEE, Fla. — Seven judges of the Florida State Supreme court listened to an appeal from a circuit court, Tuesday, in which Orion Johnson, Ocala Florida youth, was convicted of first degree murder for the slaying of a white sheriff in Ocala. The alleged crime occured a few days before the beginning of the famous Groveland trial in Ocala in February.

Attorney Rodriquez, representing the convicted Negro, urged the court to consider two errors in trial. First the confession contained admissions that the defendant believed in communism and, second, that the jury on voir dire examination were asked of the fact that the defendant was 16 years of age, would prevent their finding him guilty of murder in the first degree, which carried a mandatory death penalty.

In urging the first error, Attorney Rodriquez pointed out that the defendant has three factors against him - being a Negro, an avowed communist and killing a white sheriff in Ocala.

Assistant Attorney General Leonard Pepper asserted that only one page of testimony regarding the communist issue was included in 180 pages of testimony; and the evidence of guilt was conclusive.

In rebuttal Attorney Rodriquez indicated that one page of testimony linking a defendant with communism was tantamount to one atomic bomb as against several incendiaries.

Assisting Attorney Rodriquez at the counsel table were: Attorney William A. Fordham, his law partner and Attorney Charles F. Wilson, criminal law instructor at the Florida A and M School of Law.

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General

Executions Hit Low In 1950

WASHINGTON — Executions in the United States hit a 20 year low in 1950, the federal bureau of prisons reported last week.

Eighty-three criminals were put to death in that year, the last for which complete reports have been compiled, the bureau stated.

Of the 3,029 persons put to death between 1930 and 1950, 54 per cent were Negroes.

The largest number executed in one year during the period was 199 in 1935.

Three states, Maine, Minnesota, and Wisconsin, have no death penalty for any offense.

Kills Wife, Daughter, Suitor

(Special to the Courier)

NASHVILLE, Ga.—Police are seeking a colored family head for investigation in the murder of his wife, his stepdaughter and a white man. Witnesses stated to investigating police officers that the colored man killed the three almost instantly with pistol bullets in his home and in his front yard. This occurred Friday, reports reveal.

Police Chief Decius Browning said Abraham Pinkney killed his wife and stepdaughter in the kitchen of their home here and then used the same pistol to kill Rep Henderson, the white man, in the yard outside the house shortly afterwards.

BROWNING SAID he had not determined the motive for the triple slaying but other citizens stated to newsmen here that the white man was alleged to have been "going with" the stepdaughter and that her mother was cloaking the two.

The man is said to have been a frequent visitor to the Pinkney home, mainly while the husband was away at work, and often stayed several hours at a time. The wife is said to have sat on the front porch, worked the lawn or garden as a sort of "look out" while the white man and the colored girl would remain in the house.

Pinkney, a hard-working, law-abiding citizen for many years, was said to have been told of the frequent and long visits of the man to his home and objected stremuously to his lengthy calls and visits. His wife is said to have denied there was any relations between the man and herself or her daughter by another marriage, and also denied that the man in question had ever visited in their home.

* * *

THE DEAD wife informed her husband that it was simply a matter of neighborhood gossip and jealousy on the part of the neighbors who envied her because she didn't have to work every day like the most of them.

Pinkney is said to have left on the assumption that he had gone to work on a night shift, but he didn't intend going to work, it was revealed. He returned to his home rather surprisingly and found the white man in his home, where he first killed the wife, then the daughter in the kitchen and caught up with the man in the yard as he was fleeing the scene and felled him. All died instantly. Police are continuing their search to question the alleged slayer. Pinkney got away from the house hurriedly and has been hunted by a posse since.

C. Henderson Habeas Corpus Action Filed

ATLANTA—Freedom for Clarence Henderson, who remains in jail despite failure of the state to produce sufficient evidence to convict him for murder, will be sought in Carroll County Superior Court, Jan. 17.

On that date, the County Sheriff must answer a "show cause" action filed Friday by Atty. Dan Duke, Atlanta NAACP-hired counsel. Henderson's habeas corpus petition alleges he is being held involuntarily and without due process of law.

The Carroll County sharecropper was thrice convicted for the 1948 "lovers lane" slaying of Carl (Buddy) Stevens, and doomed to die in the electric chair, but three times the Georgia Supreme Court reversed the lower court, holding that evidence was insufficient for prosecution.

Mother Given Illegal Trial In Georaia, Judge Rules

Expecting Another Child Soon

By WM. A. FOWLKES

LUDOWICI, Ga. — Mrs. Lula Bell Jenkins, imprisoned pregnant mother of six children, was ordered out of Tatnall State Prison and back to Lee County Jail last week.

Judge Melville Price of the Atlantic Circuit, has ruled that the court which sentenced her to ten years in prison, for the alleged assault with intent to murder a Leesburg policeman, had no jurisdiction in the original case.

In his ruling, Judge Price agreed with the arguments of Atlanta NAACP Attorneys S. S. Robinson and E. E. Moore Jr., that Mrs. Jenkins had been illegally sentenced to prison, without the benefit of a lawyer's counsel and through the use of a "confession," which she could neither read nor write.

TATNALL PRISON Warden R. P. Balkcom Jr., was ordered to turn the illiterate mother over to Deputy Sheriff R. A. Forrester to be transported back to Leesburg jail for a trial on the charge preferred against her by Officer N. N. Nelson.

Testifying in her defense, Mrs. Jenkins told the court how she was allegedly beaten brutally before and after being arrested by Officer Nelson.

She said that improper advances had been made to her. The policeman said the defendant cut him on the neck with a knife on the night of Jan. 7.

Deputy Assistant Attorney General Joseph T. Grice of Glenville, represented the state at the hearing. Neither the sheriff of Lee County nor the Judge of the Southwestern Circuit was present. However, Solicitor General Wingate Dykes of the Southwest Circuit was present.

OFFICIALS' ESTIMATED it will be around October before a court hearing will be held in the Jenkins case. Back in the Leesburg jail, Mrs. Jenkins will be nearer to the children and her husband, Agnew Jenkins, who recently expressed a desire that she be returned home.

She will probably bear another child before her trial.

Whether Mrs. Jenkins can expect a fair trial in Leesburg is not known. At the present time, it is reported that Negroes are not on jury lists and do not enjoy voting privileges.

Most citizens of color in Lee County seemed afraid to talk about the case before the Atlanta Branch NAACP hired counsel to file habeas corpus proceedings to free her from Tatnall Prison.

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Georgia

Leesburg Folk Gripped by Fear

By WILLIAM A. FOLKES JR.

LEESBURG, Ga.—Citizens here are afraid to discuss the Lula Bell Jenkins case with strangers, and none of them reportedly, have ventured over to the red brick two-story jailhouse where she is being held pending grand jury decision.

Mrs. Jenkins, the expectant mother of six children, is being held under $1,500 bond for alleged assault with intent to murder of a Leesburg night policeman last January.

NOBODY HAD GONE that bond last week-end, although the Albany Branch NAACP had taken over the case, because Lee County is closer than Atlanta, whose militant branch gained the release of Mrs. Jenkins from Tatnall State Prison where she was serving a ten-year sentence.

Atlanta NAACP Attys. S. S. Robinson and E. E. Moore argued that Mrs. Jenkins had not been legally tried for the crime she was accused of, and that her "pen tough" confession and sentencing were illegal. Atlantic Circuit Judge Melvin Price, of Ludowici, agreed to Mrs. Jenkins' pleas and ordered her out of the custody of the warden at Tatnall prison and into the custody of Lee County Deputy Sheriff Forrester for transportation back to trial here.

In the Ludowici hearing, Mrs. Jenkins claimed advances by her accuser led to the alleged assault during a reported act of self-protection.

IT WAS UNDERSTOOD that Albany Branch NAACP officials were making contacts with Lee County officials in an attempt to get relief for Mrs. Jenkins, who is expected to bear another child during September. Lee County court action is not slated before October, it was learned.

In the meantime, Lee Countians are afraid to talk about the case. Although Leesburg is but ten miles from Albany where Negroes vote freely, no Negroes vote in Lee County. Observers list them among the most timid in Georgia.

Henderson Must Face 'Rob' Trial

Sharecropper Beats Murder Charge In Case

NEWNAN — Clarence Henderson, standing on the threshold of freedom after languishing in the shadow of death since three reversed convictions in connection with the 1948 killing of a Georgia Tech student, must now hurdle a new barrier.

International News Service disclosed Monday that the Carrollton sharecropper, father of three children, will have to stand trial on a robbery charge which reportedly grew out of the slaying of Carl (Buddy) Stevens, a Tech student and son of a Carrollton automobile dealer.

The news service quoted Solicitor General Wright Lipford, Coweta Circuit court prosecutor, as saying Henderson would be tried for robbery on October 13.

The robbery charge was brought against the tenant farmer in connection with Stevens' death and Henderson was formally indicted on the charge in 1950.

Henderson had virtually won his freedom last June when the Georgia Supreme Court reversed for the third time a death sentence given the sharecropper in the "lovers lane" slaying.

Solicitor Lipford, according to INS, said in an interview in Newnan Monday evening that the robbery charge will have to be disposed of before Henderson can be released.

The solicitor was further quoted as saying there are no plans at present to retry Henderson on the murder charge. But he added that he will not formally drop the case.

The murder charge will stay in effect, but no attempt will be made to try Henderson again for murder the Solicitor explained.

He said the court which convicted Henderson will have to stand on the decision of the State Supreme Court to reverse the verdict which would have required Henderson's life.

In reversing the Carrollton Superior Court verdict, the state highest appeal court held that the evidence presented in previous trial hearings "was not sufficient to support the conviction" of Henderson.

In striking down the previous evidence, the court, in effect, ruled out the so-called expert testimony introduced by George Cornett, a state witness.

Attorney Daniel Duke, defending Henderson before the Supreme Court, centered an attack upon Cornett's testimony and asked the court to establish some standards of proof for scientific evidence.

Cornett, an assistant to Doctor Herman Jones of the old Fulton County Crime Laboratory, had disputed defense testimony on the matter of identifying the death gun which was traced to Henderson.

As for the companion of Stevens, the high court ruled that her testimony was only an opinion and insufficient evidence under the law. She had attempted to identify Henderson by his voice during the trial proceedings.

In Atlanta, Attorney Duke said Henderson would be defended on the robbery trial when the case is aired in Carrollton.

Judge Warns That Violators Will Be Given Maximum Time

BY LERONE BENNETT, JR.

The two-pronged drive to throttle Atlanta's spiralling homicide rate picked up momentum here yesterday when Judge Luther Alverson warned potential law violators to "hesitate before getting into a stabbing or shooting fray."

Urging pistol-packing Atlantans to "...lay that pistol down," the youthful Fulton County judge promised that all persons convicted of carrying a concealed weapon would receive the maximum punishment in his court. He was interviewed in his chamber at the Fulton county court house.

Earlier in the day Judge Alverson continued his drive to make "Auburn avenue as safe as Peachtree street" by sentencing two persons to a total of 27 months for weapons violations. The maximum sentence for a weapons violation is twelve months.

In an exclusive interview with the Atlanta homicide chief, the Atlanta Daily World revealed on September 5 that the police department proposes to strike back with weapons shakedowns if the homicide rate continue to snowball. Judge Alverson continued:

"For too long southern courts have taken Negro fights and stabbings too lightly. Of course, we meant to help, but this policy has hurt more than help the Negro community."

The jurist said that the usual sentences for stabbings and weapons violations have been fines from twenty-five to fifty dollars. He added:

"I'm anxious for the people to know that there will be a straight sentence for carrying a concealed weapon from now on. I'm going to be firm, and I'm going to deal with all people equally under the law. And when I say equal, I mean equal-that means colored people and white people."

Removing his tortoise-shell glasses, the Judge concluded with a smile:

"I think if the people know that they are going to get twelve months for such violations they'll lay that pistol down.

Judge Alverson took office September 1, after a four year term in the state legislature. A native Atlantan, he has practiced law for several years.

Earlier Tuesday, Judge Alverson sentenced Grady Whitlow and Malvin Talley for carrying concealed weapons. Whitlow was sentenced to twelve months and Talley received fifteen months on two counts of carrying a concealed weapons and carrying a pistol without a license.

The Fulton county judge said he became interested in the problem when he checked FBI records in Washington and found out that Negroes had committed 91 out of the 94 Atlanta killings reported in 1951. In 1950 there were 101 slayings and the present toll stands at 70.

There were four slayings over the past weekend.

Ga. Upholds Life Term For Whiskey Killer

ATLANTA — (INS) — Convicted murderer John R. (Fat) Hardy was turned down by the Georgia Supreme court in his plea for a lighter sentence resulting from "poison whiskey" sales blamed for 39 deaths.

Hardy was tried and convicted of a murder charge last December in the death of an Atlanta Negro.

He was sentenced to life imprisonment. But his defense contended he should have been tried for voluntary manslaughter, carrying a lighter sentence than murder.

This opinion was overruled by the state Supreme court. Justice W. E. Duckworth decreed:

"The accused and his confederates mixed in a concoction of water, charcoal, flavoring, corn whiskey, beading oil and all the contents of a 54-gallon drum of wood alcohol clearly marked 'poison' and sold it as illicit, non-tax-paid whiskey in Atlanta.

"The evidence is sufficient to support a verdict of guilty and ...court of appeals did not err in overruling a motion for a mistrial."

Homicide Record Set In Wake Of New Crime Wave

Atlanta's 60th homicide of the year was entered into the ledger at the Crime Report Bureau of the Atlanta Police Department early Friday night, when a thirty-five-year-old woman died of shotgun wounds at a Rear Magnolia Street, N. W., address Through August 23 last year Atlanta's total number of homicides stood at 57.

Earlier Friday the 59th violent slaying was added to the police blotter when a fifty-nine-year-old man died of a compound fracture of the skull.

Detectives J. E. Helms and W. M. Holland of the Homicide Squad, identified the shotgun victim as Miss Ophelia Bennett, of R-361 Magnolia Street, N. W., who was shot while police was looking for the suspect in connection with a recent stabbing.

STABBED WOMAN EARLIER

Listed by Detectives Helms and Holland as being arrested in connection with the fatal shooting was Columbus Rowland, 38, of 380 Simpson Street, N. W., and 361-R Magnolia Street, N. W.

According to the police report, the suspect stabbed Ethel Burden, 41, of 118 Haynes Street, N. W., in the left chest and hit Miss Bennett on the head around 6:20 p. m. Then returned to the scene with his shotgun around 7:35 p. m.

PLEADED WITH SUSPECT

Detectives Helms and Holland quoted one eye-witness to the slaying as saying he was standing in the back room when Rowland returned with his shotgun. He told the officers that he pleaded with Rowland not to shoot Ophelia and warned him that he (Rowland) was already in trouble for stabbing Ethel.

When Rowland came to the doorway he warned this witness to stand to one side if he did not want to get hurt. When shot, the victim fell to the floor and was pronounced "dead at the scene," the police report said.

Rowland was apprehended later by Officer Bibb, sitting on a box in a nearby open field. His shirt was bloody and according to police had a stab wound in the left shoulder.

HIT WITH BRICK

The other homicide victim, identified by Detectives Helms and Holland was "Doc" King, who was hit with a brick around 5 p. m. Sunday, in front of 267 Linden Avenue, N. E. and died at Grady Hospital at 3:20 a. m., Friday. His address was listed as a basement at 57 Lombardo Way, N. E.

King was unconscious when admitted to Grady shortly after 5 p. m., Sunday, and was still unconscious at 10 p. m. An X-ray revealed a compound fracture of the skull.

At the scene, a witness told the officers that the victim and another man were walking down the street with open knives in their hands, arguing over some money. Then suddenly the suspect ran to a vacant lot and got some bricks. The victim dodged the first brick thrown at him, but the second struck him on the left side of his head, back of the ear, and he fell on the sidewalk.

94 Homicides

Atlanta Wars on Violence

ATLANTA—With the high incidence of killings and assaults being what it is in the Atlanta area, a recently installed Fulton Court judge started out last week to discourage weapon carriers.

Judge Luther Alverson sentenced Paul Smith to serve twelve months in prison on charges of carrying a concealed weapon. He commented:

"Records show there were ninety-four homicides in Atlanta last year and of these ninety-one were Negro killing Negro in a purely Negro community.

We, in the South, have made a mistake in treatly too lightly the crimes committed under these conditions.

"You and others coming before me on charges of carrying concealed weapons, such as pistols and knives, will receive the maximum penalty. Then perhaps you will learn to settle your arguments with your fists instead of using pistols and knives. Then we will have bruises—not murders."

Homicide Men Report Three Deaths Here

Three persons died suddenly here yesterday within four hours, homicide detective reported.

The dead were identified as:

Dick Bailey, 50, 290 Trenholm St., S. W.

Robert E. Walker, 69, 1925 Main St., Riverside

Clarence Smith, 62, 567 Piedmont St., N. E.

Two of the three men, Bailey and Walker were connected with the Southern railroad, police reports indicated. Smith was found dead early Wednesday morning at his home at 567 Piedmont St., N. E. by his wife. There was no indication of violence, police said.

A Southern railroad employee called detectives when he could not get in touch with Bailey, who worked as a watchman for a crossing of the railroad. The employee, identified only as Mr. Langley, said he had not seen Bailey for three days.

When Mr. Langley arrived at the deceased's home at 290 Trenholm St., S. W., the door was locked. Police crashed into the house and found Bailey lying across the bed. A neighbor, Mrs. Auella Kennedy, told police officers that she had not seen the man since Monday.

Two cousins were quoted as saying they had not seen Bailey since Sunday. Detective M. A. Johnson reported that the dead man's watch was still running.

Detective H. E. Burdette quoted two witness as saying Walker dropped dead after talking to them. Effie Strickland, East Main St., Riverside and John W. Eagle, RFD 7, Box 158, Main St., said they were talking to Walker when he turned " , and walked away and suddenly fell face down."

Walker's wife said he was retired recently from the Southern railroad, police said. She declared that he had been under medical treatment.

Lt. L. T. Bullard, homicide chief said the three men apparently died "as a result of natural causes."

Meanwhile, homicide detectives continued their investigation into the circumstances surrounding the death of an unidentified man who was found Tuesday partially hidden by a railroad track near the Magnolia street bridge.

Papers found on the man indicated that he is a native of Detroit, Lt. Bullard said. He said that the Atlanta homicide department has contacted the Detroit police bureau for further information.

The body was too badly decomposed for identification, the homicide chief said.

Murder Toll Climbs Higher; Two More Dead

The total number of homicides in Atlanta for the year jumped to 72 Friday and Saturday, when a man was pronounced "dead on arrival" at Grady Hospital and another died of injuries sustained on September 2.

Stabbed in the jugular vein between 4 and 5 a .m., a 31-year-old man was pronounced "dead on arrival" at Grady Hospital Saturday around 6:50 a. m.

Homicide Detectives M. W. Blackwell and M. A. Johnson identified the victim as Cleveland Davis, Jr., of 536 1-2 Decatur St., S. E., Apartment No. 4. They quoted Officer Karl Barbour, who is stationed at the hospital, as saying he was "dead on arrival."

WIFE ARRESTED

Listed as being arrested in connection with the slaying was Mrs. Mary Davis, 27, of the same address, who was identified as the victim's wife.

According to Detectives Blackwell and Johnson, Mrs. Davis and two witnesses accompanied the victim to the hospital and she was detained at the clinic for treatment of a wound before being placed under arrest.

"Sudden anger" was listed as the motive for the slaying and no other information was given in the police report.

SHOT IN STOMACH

Shot through the stomach with a rifle on September 2, a 41-year-old man died Friday at 12:45 at Grady Hospital.

In their initial report on the crime, Patrolmen W. B. Scoggin and C. W. Lindsey identified the victim as Judge Withers, of 2 Sweat Road, N. W.

When Officers Scoggin and Lindsey went to the Sweat Road, address to investigate the slaying they talked with the victim's daughter and quoted her as saying her father had an argument with the 21-year-old perpetrator earlier in the evening.

According to the victim's daughter, the perpetrator returned around 3:15 a. m., with a rifle, called her father to the door and shot him.

Henderson Case 'Dead Docketed;' Freedom Seen

"The cases are dead docketed but Henderson is still in Jail," Attorney Dan Duke said Wednesday night after a court hearing in Carrollton Georgia during the day.

Mr. Duke said that both the murder charge and the robbery charge against Clarence Henderson were "dead docketed" Wednesday by Judge Samuel Boykin at the request of Solicitor Wright Lipford.

But, Mr. Duke said, when he sought Henderson's release, the judge informed him that he would have to enter a motion for bond in order to obtain Henderson's release.

The defense attorney refused and Henderson remained in jail. Henderson has stood trial and been sentenced to the electric chair three times for the slaying of Carl (Buddy) Stevens. In each case the Georgia Supreme Court has reversed the Carrollton Court's verdict.

The hearing Wednesday was on a robbery charge which the solicitor was bringing Henderson to trial on. After a closed hearing between the judge and solicitor, Lipford informed the court that he had not uncovered any new evidence to bring to the trial, and asked that both cases be "dead docketed." The judge agreed, but refused to release Henderson, Duke said.

Shirley Boykin, brother to the judge who presided over the case, served as special prosecutor. Henderson, so far, has remained in jail in Coweta County, at the expense of Carroll County. Meanwhile, his wife and three children have been on the social welfare for the same period in Atlanta.

Attorney Duke said he "will take the proper action to insure justice for his client." He did not state what this action would consist of however.

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Atlanta Police Threaten To Stage 'Weapon Shakedowns' To Halt High Toll Of Killings

63 Slayings Reported Here Since January

By LERONE BENNETT Jr.

If Negro homicides continue to mushroom, the Atlanta Police Department proposes to strike back with a series of "weapon shakedowns" in continuous sore spots, the Atlanta homicide chief warned yesterday.

Lt. L. T. Bullard, head of the Atlanta homicide detail, pointed out that 63 Atlantans have been slain this year. Fifty-five of these were Negroes. Only seven white Atlantans have been slain by white perpertrators.

"These senseless killings by colored people must stop," the police official said. "There is no sense in it, and for most of the slayings there is no motive or cause."

Striding across the concrete floor of the detective bureau, the quiet-voiced lieutenant pointed to a large map, sprinkled with a sea of blue pins, a few white pins and one black and white pin. The blue pins, he explained, represented Negro homicides; the white, white homicides, and the black and white, the slaying of a white person by a Negro.

"The largest concentration is around here, Merritts Avenue and down around Butler. Although they are pretty well scattered out, several have happened here, around Mitchell and Haynes," he said.

Thumbing through a large business ledger in which all homicides are recorder, Lt. Bullard recalled with some pleasure that all of the 63 homicides have been solved, in the sense that the slayer has been positively identified.

"Six suspects are still at large," he said. There was an interruption. A detective arrived to announce the capture of a man identified as Clarence Pace, 90 Butler St., in connection with the brick slaying of Doc King. "Make that five," Lt. Bullard smiled . . .

The five are Fred Hargrove, Lemme Wilcox, Wade Harden, James Vincent, and John Thomas, the homicide chief said. John Thomas, 51-year-old church sexton, is being sought for the slaying of his wife on August 10. Indictments have been secured for all of the slayings, with the exception of the justifiable homicides.

The homicide chief declared that the department did not wish to begin shakedown raids indiscriminately. He emphasize that no business or location with a relatively clean record would be subjected to shakedown raids for weapons on the person of their patrons.

Although there are occasional shootings and brick-bludgeonings, most homicides among Negroes are stabbings and cuttings, Lt. Bullard said. The stress will therefore be on switch blade knives and razors.

In conclusion, he said that the homicide department meets its greatest challenge in:

Nightfall Lowers

Death's Iron Curtain Around Negroes Here

. . . . EDITOR'S NOTE: This is the first in a series of articles dealing with one of Atlanta's most absorbing social problems — the startling rate of racial killings.

The writer, [redacted] Johnson, is former police and court reporter. He received his journalism education at Syracuse University's School of Journalism. The series is based upon police and court records; interviews with Police Chief H. T. Jenkins, Solicitor General Paul Webb, homicide investigators, civic leaders and personal investigations.

BY ROBERT E. JOHNSON
Atlanta Daily World City Editor

Nightfall means peaceful sleep to 194,400 white residents of Atlanta, but to 134,700 Negroes nightfall means danger — a killer is loose.

Since 1944, police records show that Death—dressed in murder garment—beat, bludgeoned, stabbed, butchered, choked and shot to death 590 Negroes between 6 p. m. and 6 a. m.

In 1950 Atlanta's Homicide Squad reported 101 violent deaths. Eighty-five were Negroes slain by Negroes. Approximately eighty of these victims were "put away" from dusk to dawn.

Last year 83 homicides were recorded. Already police have recorded 66 Negro slayings this year, further shaming the city's record and emphasizing Negroes' cruel treatment of each other.

This high rate of Negro killings, among the highest in the nation, poses a big problem for the Atlanta community of both predominant races—white and Negro.

Police reports from principal cities of the United States with a population of 100,000 or more which have about the same percentage distribution of whites and Negroes indicate that Atlanta's homicide problem is not unique. It's theme, with some variations, echoes in Birmingham, Memphis, Jacksonville, New Orleans and many other cities.

However, Atlanta provides an interesting study mainly because it is a city of contrasting standards:

It is a city which boasts of its beautiful homes and blushes at the mention of its crime-breeding slums; brags of its seven-college center of higher education for Negroes and remains silent about its illiteracy rate; shouts praises of its Negro business institutions and whispers about the majority of its wage earners hanging on insecurely to the lowest rung of the economic totem pole; hails the progressive work of its interracial organizations and shuns controversial talk about segregation.

POLICE CHIEF BAFFLED

When it comes to the question of the high incidence of slayings in Atlanta, Chief of Police Herbert T. Jenkins readily admits two things: (1) Atlanta's homicide record is not envied and (2) he hasn't the answer to the problem.

In speaking of "the answer," he is not talking about the question of solving Negro slayings. This answer is usually clear to police before the victim's body gets cold and stiffens. Majority of the offenders are arrested near the scene of the crime.

PLANNED MURDERS RARE

Negroes are no more criminal than whites by nature. Scientific and sociological studies have shown this. But in the area of homicidal crimes, Negroes face Atlanta police in greater numbers than whites.

However, such killings, as defined by Georgia criminals laws, can seldom be classified as murders.

"To prove murder," says Solicitor General Paul Webb of Fulton County, "we must prove that the offender committed the crime with malice aforethought, willful intent and that it was planned and premeditated." The solicitor general observes that most Negro killings are manslaughter crimes which grow out of "mutual combat."

(Tomorrow: In his second article, Mr. Johnson spells out reasons why Negroes kill each other).

Doomed Slayer Given Chance To Save Life

BY GEORGE COLEMAN

Willie Floyd Smith, 36-year-old former Atlanta Health Department employee, who drew the death penalty last June upon conviction of the shotgun slaying of his tenant neighbor, won a new lease on life yesterday when Superior Judge George P. Whitman, Sr. granted a motion for a new trial to attorneys pleading his case.

Attorney Romae Turner, who entered the case three days after Smith was sentenced on June 12 to die in the electric chair, revealed she receive dan office notice from Judge Whitman yesterday informing her that her client would be given a new trial.

The case automatically returns to the Fulton Superior Court Calendar and will be arraigned at a future date.

Smith was tried and convicted for the May 12 slaying of Robert Dumas, who lived in the opposite side of a double tenament house. Police records listed the house as R-512 A Humphries and R-512 B Humphries St. S. W.

Attorney S. S. Robinson, who has assisted Miss Turner thus far, related that the granting of a motion for a new trial in this instance was very unusual because the defendant had already been convicted.

A woman identified as Amanda Starks, who had been employed by Smith as his house-keeper, was the chief state witness against Smith, Robinson said. The attorney said their investigation had revealed Smith had been providing for the woman and her two children at the time of the slaying.

Miss Turner said Smith had allegedly shot Dumas when Dumas forced his way into Smith's home. The slain man had threatened Smith over a period of two weeks and attempted to take money from him, according to her findings, she said.

The two attorneys declared that further investigation revealed that Dumas was a racketeer and involved in illegal liquor sales. Smith did not have a police record, she said.

The attorney said they were basing their new defense on self-defense. "We have found new evidence which may bring in a different verdict," Miss Turner affirmed.

The two attorneys argued their case before Judge Whitman on September 9. They were called in by relatives after a court appointed attorney was unable to save Smith from the electric chair verdict.

Smith had formally been sentenced to die in the electric chair on July 18. The death sentence was automatically withheld until a ruling on the attorneys pleas could be reached.

Henderson Case Bogs Down As Court Asks Bond Before Release

Attorney Duke Disputes With Court's Action

BY LERONE BENNETT, JR.

A written legal order precipitated a verbal row in the Clarence Henderson case yesterday when Attorney Dan Duke received a notice from the Carroll County Superior court specifying that the indictments against Henderson are "continued, with the right of the defendant .... to file application with the court for bond."

The court order was dated Oct. 16. On October 15, the case was "dead-docketed" in open court. Duke interpreted this as an entirely new angle in the case, and added:

"..... I will certainly take steps within the limitation of my professional responsibility in this matter."

Judge Samuel J. Boykin was reached by phone in Carrollton. He refused to be quoted on the order. An authoritative court source in Carrollton averred, however, that the written order which Duke received is only a confirmation of the oral order issued in court on Oct. 15.

This source pointed out that "dead-docketed" is a slang term, hence the wording of the written order. Henderson has been sentenced to the electric chair three times for the slaying of Carl Stevens.. In each case the Georgia Supreme court has reversed the verdict.

After the case was "dead-docketed" Wednesday, Duke asked for the release of Henderson, who has been in jail for three years. The judge informed him that he would have to enter a motion for bond.

Here in Atlanta, however, Attorney Duke interpreted the written order in a different way. Pointing to the different dates, he charged that the written order and the oral order "are not the same thing."

At the same time, Solicitor Wright Lipford of the Carroll County Circuit said that "dead-docketed" gives the idea that the case is finished but it is actually in the same status as if the man is arrested and no hearing has been set." He added:

"In a murder case I know of no way that a prisoner can be released without a bond unless he is acquitted by a jury, or the state nol prosses the case," Lipford added.

Attorney Duke issued a statement which reviewed the history of the case and added:

"Henderson has been tried three times. He has been in jail in Gowetta county in Newnan, Georgia, for three years at the expense of the citizens of Carroll county ..... The question has been asked me in view of these facts what steps I am going to take. My answer to that question is simply this, that I will certainly take steps within the limitations of my professional responsibility in this matter .... The court in which I will bring this action and the nature of the action are not subjects upon which I care to speak at this time ....."

"The October 16, 1952, order of the court which recites that Henderson may make an application for bond is not a subject upon which a Court has to express itself. It has been my impression that this right is granted by the Constitution of Georgia and by the laws of Georgia and a Court may be compelled to entertain an application for a bond."

Macon Slaying Confession Made

MACON, Jan. 4—(AP)—A Negro man has confessed he slashed the throat of a white woman as they stood together in a vacant Jones County farm house Christmas Day, Sheriff Holmes Hawkins of Jones County said Friday night.

Horace Johnson, 31, of Macon Route 6, signed a statement admitting he killed Mrs. Lela Inez Varnom, a former Maconite who recently moved to Milner, Route 1, the sheriff said.

Sheriff Hawkins said the only motive Johnson could offer was "He just plain got scared at the idea of being with the woman."

A murder warrant is to be sworn out Saturday in Jones County, the sheriff said. Meanwhile, the Negro is being held in the Bibb County jail.

Faces Murder Rap In 'Wheel Barrow' Death

MACON, Ga. — (INS) — Albert Allen, 39, was facing murder charges last week in the "wheel-barrow" death of Alfred Lee, of Bibbs County, Ga.

Bibbs County Sheriff Julian E. Peacock said investigations indicated Allen shot Lee in the back of the head, carried the body in a wheel-barrow to the front of his own home, and planted a knife by the body.

Five hours later, Peacock said, Allen called deputies who became suspicious when they found no empty shells in front of Allen's home. They traced wheel-barrow tracks back and came upon shells and the dead man's cap.

Peacock reported that Allen made a confession of the shooting and of taking Lee's watch.

Justice Wyatt's Memorable Opinion

Mister Justice Lee Wyatt of the Georgia Supreme Court, who wrote the majority opinion in the Henderson case comes in for an ovation. While he wrote the opinion in the Henderson case in conformity with the evidence produced at the trial, which was his normal duty, he is to be commended for the terse language in which he clothed the majority decision.

All along there has been grave doubt that Henderson was guilty; it was the court's duty in the face of evidence produced to make the decision. The court has spoken and it has spoken in terms of legal justice. It has shown that it stands for a fair and impartial interpretation of the law and that it harbored no political caution in making known to the world its sense of justice.

Once again Georgia has lifted the robe of fairness in a case that normally popular sentiment outruns the sense of justice.

We have other cases in mind that have been decided in a measure to draw censure on the arbitrations; people have been made to suffer because of an unwholesome atmosphere in which they were tried and the caution taken by those upon whose shoulders rests the mantle of the law.

There are still hopes that some of these past instances may be ameliorated with mercy tempered; notably the Ingram case in which a widow and her sons are alleged to have been protecting her honor.

There are bright signs in the skies for Georgia. Those who would not give up in the face of defeat in the Henderson case are to be commended for the courage to carry on. They have brought another star in the crown of a great state. But for them, justice might have been aborted and we would not have beneath the golden lintels of Georgia justice the celebrated decision, giving Henderson another lease on life. We might not have had those touching sentences from that prolific pen of Judge Wyatt to set down so bold an opinion for other decisions touching the grave importance of accurate identity.

Will Henderson now be set free? This is the question, and we hope the answer will be: YES.

Hardy Gets Life In Whiskey Deaths

ATLANTA—A term of life imprisonment was given John R. (Fat) Hardy last week for his admitted role in making the poisonous whiskey that took thirty-eight lives here in October.

Hardy, a 360-pound white bootlegger and ex-convict, immediately filed motion for a new trial.

Mother of Six Cries for Help!

B-U-L-L-E-T-I-N-!

LUDOWICI, Ga.—Attorneys for Mrs. Lula Bell Jenkins, who is serving ten years on an alleged "trumped up" charge, will have to wait until Saturday before attempting to seek a release for their client on a writ of habeas corpus. The hearing was postponed from last week after originally having been slated for June 28.

By WILLIAM A. FOWLKES JR.

LEESBURG, Ga.—"Please bring our Mommy back to us!" the six children of Mrs. Lula Bell Jenkins, imprisoned expectant mother, pleaded last week when newsmen and attorneys visited them in their home.

The children are being cared for by their grandmother, Mrs. Liza Gadson, 65, who works as a maid-cook for $5 a week, while their father, Agnew Jenkins, works as a tractor driver and farm laborer for $2.50 a day.

Mrs. Jenkins is serving a ten-year term at Georgia State Prison in Tatnall County at Reidsville, allegedly for assault with intent to murder of Leeburg's night policeman, N. Nelson.

* * *

THROUGH NAACP attorneys, Mrs. Jenkins contends she never had a trial, that she touched the end of an ink pen to sign a "confession" to the alleged assault and that she was beaten and forced to mark "X" to a paper she did not understand, receiving the ten-year sentence immediately afterwards.

The illiterate woman's husband wants to help get her from prison, but fears "the consequences."

Mrs. Jenkins alleged in a habeas corpus petition submitted last week that she was beaten several times in jail before being carried to a room adjoining the courtroom at Americus, Ga., and being "confessed" into prison.

* * *

NEGROES DO NOT vote in Lee County, according to several prominent citizens.

Registered in a general statewide drive a few years ago, they were told to leave the courthouse grounds on voting day and have not bothered since, these citizens claim. Farm and household service constitute most work in the vicinity.

Most Negroes are afraid to talk about the Jenkins episode, since at least one other person is serving prison time for having "scratched the officer following a "run-in" on the small town streets.

Defense attorneys, employed by the Atlanta Branch NAACP, claim no record of an actual trial was found in Lee County. Mrs. Jenkins said she was improperly advanced on prior to the trouble which led to assault charges. The officer alleged that Mrs. Jenkins cut him with a knife, while resisting arrest.

Jailed Mother's Conviction Reversed; May Get New Trial

BY GEORGE COLEMAN

LUDOWICI, Ga. — (SNS) — The ten year conviction of a Leesburg, Ga., expectant mother was ruled "Null and Void" Saturday afternoon after a two hour battle waged between an attorney for the state and two attorneys representing the National Association for the Advancement of Colored People.

The victory was scored for Mrs. Lula Bell Jenkins by Attorneys S. S. Robinson and E. E. Moore, both of Atlanta, who presented their case on a writ of Habeas Corpus, charging she was being "Illegally restrained of her liberty by being confined in the Georgia State Prison in Tatnall County."

ORDERLY HEARING

Judge Melville Price of the Atlantic Judical Circuit, who conducted the possibly explosive hearing in a quiet and orderly manner, returned the favorable judgement after reviewing the facts presented in less than twenty minutes.

The Leesburg wife of Agnew Jenkins, who earns $12 a week as a tractor operator on a white owner's farm, openly declared that she had been the victim of a white police officer who had sought intimate favors with her many times in the past. She told the court she was the mother of six children who had never attended school and was expecting a seventh about September

ILLEGALITY HELD

The NAACP attorneys told the court they were not considering whether the woman was guilty of the crime as charged at this time, but were alleging that her convictions was illegal.

The attorneys laid forth the following charges:

1. That the court in which she was convicted on January 25 was without jurisdiction to accept a plea of guilty because no bill of indictment had been returned against her. It was also held that she had not knowlygly wavied indictment by the grand jury.

2. The attorneys also alleged that Mrs. Jenkins was denied due process of law as set forth in the fourteenth amendment of the U. S. Constitution and the Due Process Clause of the State Constitution.

3. That the trial court failed to appoint counsel for her defense.

4. That the petitioner did not "Intelligently and understandingly" enter a plea of guiity as shown by the records.

NOT FREE

The ruling, however, does not set Mrs. Jenkins free. It, in reality, releases her from a ten year conviction and allows her the chance for a new trial with an attorney's counsel. She was immediately released from the state prison and returned to the Leesburg City Jail, where she will be allowed to post bond and remain with her large family until a new trial is set forth.

The judge, in his ruling held that the court was without jurisdiction to accept a plea of guilty under the circumstances presented.

THE RECORD

Records show that Mrs. Jenkins was convicted of assault with intent to murder a white police officer without being indicted for the alleged crime, and without attorney for defense. The records also reveal that this conviction came upon an alleged plea of guilty to the charge in which the woman, (Who says she cannot read or write) "Read" and "Consented" to all allegations charged.

HER OWN DEFENSE

Mrs. Jenkins was effective in her own defense, both when questioned by Attorney Robinson and when under cross examination by Solicitor Joseph T. Grice.

She admitted she was a moderately heavy drinker, with three arrests and fines on such charges. She admitted being intoxicated on the night in question.

But with equal fervor, her unimpeached testimony charged that Officer N. N. Nelson, of Leesburg, had tried to force his attentions on her in the past, often forcing his way into her home to ask her unhonorable questions and make demands, in his attempts to seduce her.

She declared Nelson even offered her freedom from prosecution, after he arrested her if she "would do what he wanted."

WAS WHIPPED

The woman then told the court how Nelson "beat me to the ground" after she resisted his attempt to arrest her. She then related a night of horror in jail where she said she was kicked up the stairs and whipped again just before her trial.

Two of the police officers agreed they had struck her. Nelson declared, however, he beat her with his "flapjack" after she "cut me." Deputy Sheriff R. A. Forrester admitted he "slapped her a few times" to cool her down and to arrest her. Both officers, however, denied they whipped her inside the jail, or that they failed to offer her counsel for defense. They also alleged they had explained the charges against her and given her a 'fair" trial.

Horace Ward Sues U. of Ga. For Admission

ATLANTA—Horace T. Ward, brilliant Morehouse College and Atlanta University graduate, last week filed suit in Federal District Court for admission to Georgia University Law School at Athens.

Ward has sought admission to the school since October, 1950, but had been refused by administrators.

IN HIS suit filed by NAACP attorneys, Ward seeks judgment, declaring Georgia University's policy of banning Negroes to the law school because of race and color violates the Fourteenth Amendment of the Constitution.

Gov. Herman Talmadge immediately declared that Georgia will fight Ward's suit "to the bitter end." He met with Atty. General Eugene Cook and directed him to defend the jim-crow school set-up. An amendment to the Georgia assembly-passed appropriations law woulud cut off state funds to public education should the Supreme Court declare jim crow unconstitutional or direct Negro admission.

Ward charges that state university officials used delaying tactics on his application. His petition to Federal court shows copies of thirty-four letters between Ward and university officials since October, 1950.

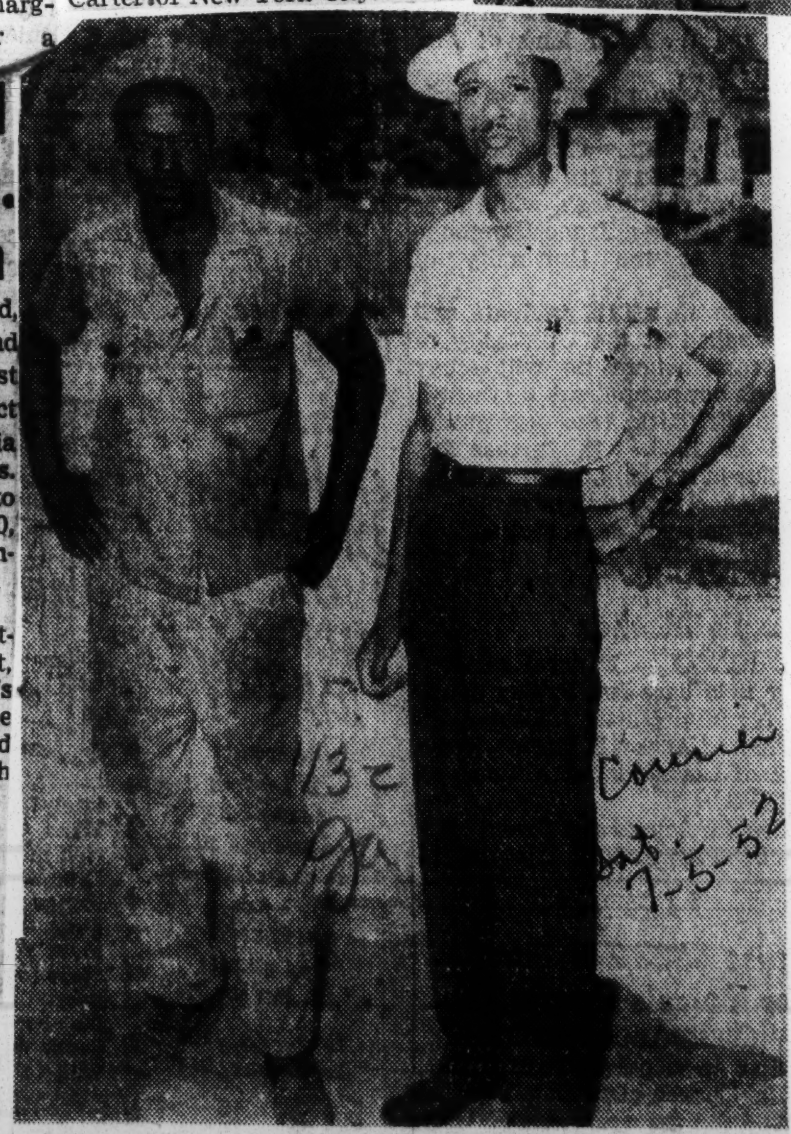
NAMED IN the suit were regents of the university system, Chancellor Harmon W. Caldiwell, University President O. C. Aderhold, Registrar Walter N. Danner and Law School Dean J. Alton Hosch.

Ward points out in the petition that white students with similar or less qualifications have been admitted to the university since he first made application, but that his plea has been carried through unusual steps and procedures. Ward asks a permanent injunction against biased procedure on/and refusal of Negro applicants.

Lawyers who filed the suit are A. T. Walden of Atlanta and Thurgood Marshall and Robert L. Carter of New York City.

MRS. LULA BELL JENKINS





Shooed Away—Husband Agnew Jenkins, left, says he was "shooed away" from the Reidsville (Ga.) jail while trying to visit his wife, Lula Bell. Standing with him is Atty. S. S. Robinson of Atlanta.—Adair Photo.

Quiet Appeals Made Towards Freeing Trio

Attorney Austin T. Walden Deplores Use Of Race Issue

The Georgia State Pardon and Parole Board has taken under advisement a petition asking for freedom for Mrs. Rosa Lee Ingram, 44-year-old mother, of Schley County, and her two sons, Wallace 20, and Sammy Lee 17, whose conviction in 1948 for the murder of John Ethron Stratford brought international protest.

The trio were sentenced on January 28, 1948 by the late Judge W. N. Harper after a Sumter County jury found them guilty of murdering the 60-year-old sharecropper in an argument over the Ingram's livestock wandering in Stratford's field.

A jury sentenced Mrs. Ingram and her sons to death but the death verdict was reversed after a hearing at Americus in November, 1948. Various legal moves were initiated by the National Association for the Advancement of Colored People towards freeing the Ingrams but Georgia courts upheld the verdict.

Attorney Austin T. Walden, Atlanta, represented Mrs. Ingram before the Parole Board Monday. He told the Board that the sentence meted out to the trio was excessive and insisted there never would have been a trial if the race issue hadn't been invoked.

Monday's hearing was void of any semblance of disturbance or fireworks and a parade of sympathetic persons used a deeply-religious theme in their approach towards obtaining freedom for the imprisoned woman.

Preceding a brilliant and pointed plea upon exceptions, by Attorney A. T. Walden, counsel for the National Association for the Advancement of Colored People, short and effective appeals were made by Mrs. A. A. Hardy, Thomastown, Georgia, president of the Georgia Council of Church Women; Mrs. Milner, Atlanta Council of Church Women; Mrs. Alberta Lahern, representing an inter-city club federation of Louisville, Kentucky, Mrs. Geneva Haugabrooks of the Ingram Committee Auxiliary; Mrs. Wm. H. Borders, National Council of Negro Women; Mrs. W. A. Scott and the Reverend William Holmes Borders, who delivered a brief prayer of benediction.

Attorney Walden's plea was backed up with 3000 signatures and resolutions from persons and organizations all over the country pleading for release of the Ingrams.

His argument before the board, headed by Edward Everette as chairman, was based upon Senate Bill Number Five (Feb. 4, 1943) which states:

"Parole may be granted by the board upon its findings that there is a reasonable probability that if (he) is so released, (he) will live and conduct himself as a respectable and law-abiding person, and that his release will be compatable with his own welfare and the welfare of society."

Attorney Walden told the board that if the race identity of Mrs. Ingram were reversed there would not have been a case against them.

"Be this as it may," he said, "their record prior to the slaying for which they were convicted, was spotless; and for the time that they have been confined to prison they have been model prisoners according to the records before you."

"If you will consider the general circumstances in the case together with the fact that they have received ample punishment, the release of these persons will be a contribution our state can make to society.

"She could certainly do much more to direct the future destiny of these two young sons in the paths of worthwhile citizenship in her home than the boys could attain behind prison walls.

"The purpose of imprisonment is the rehabilitation of offenders. People of this state who know the facts in this case are aware of the real circumstances under which these unfortunate people were incarcerated. And by virtue of the fact that their records have been unblemished before and after this unfortunate incident, we beg that their petition be given favorable consideration and that they and each of them be paroled."

The case was taken under advisement by the board with encouraging remarks of consideration.

Henderson Case Bogs Down As Court Asks Bond Before Release

Attorney Duke Disputes With Court's Action

BY LERONE BENNETT, JR.

ATLANTA, Georgia — (SNS) — A written legal order precipitated a verbal row in the Clarence Henderson case yesterday when Attorney Dan Duke received a notice from the Carroll County Superior court specifying that the indictments against Henderson are "continued, with the right of the defendant .... to file application with the court for bond."

The court order was dated Oct. 16. On October 15, the case was "dead-docketed" in open court. Duke interpreted this as an entirely new angle in the case, and added:

"..... I will certainly take steps within the limitation of my professional responsibility in this matter."

Judge Samuel J. Boykin was reached by phone in Carrollton. He refused to be quoted on the order. An authoritative court source in Carrollton averred, however, that the written order which Duke received is only a confirmation of the oral order issued in court on Oct. 15.

This source pointed out that "dead-docketed" is a slang term hence the wording of the written order. Henderson has been sentenced to the electric chair three times for the slaying of Carl Stevens. In each case the Georgia Supreme court has reversed the verdict.

After the case was "dead-docketed" Wednesday, Duke asked for the release of Henderson, who has been in jail for three years. The judge informed him that he would have to enter a motion for bond.

Here in Atlanta, however, Attorney Duke interpreted the written order in a different way. Pointing to the different dates, he charged that the written order and the oral order "are not the same thing."

At the same time, Solicitor Wright Lipford of the Carroll County Circuit said that "dead-docketed" gives the idea that the case is finished but it is actually in the same status as if the man is arrested and no hearing has been set." He added;

"In a murder case I know of no way that a prisoner can be released without a bond unless he is acquitted by a jury, or the state nol prosses the case," Lipford added.

Attorney Duke issued a statement which reviewed the history of the case and added:

"Henderson has been tried three times. He has been in jail in Gowetta county in Newnan, Georgia for three years at the expense of the citizens of Carroll county ..... The question has been asked me in view of these facts what steps I am going to take. My answer to that question is simply this, that I will certainly take steps within the limitations of my professional responsibility in this matter .... The court in which I will bring this action and the nature of the action are not subjects upon which I care to speak at this time ....."

"The October 16, 1952, order of the court which recites that Henderson may make an application for bond is not a subject upon which a Court has to express itself. It has been my impression that this right is granted by the Constitution of Georgia and by the laws of Georgia and a Court may be compelled to entertain an application for a bond."

The "Dead Docket" And Henderson

After being snatched from the brink of death on three separate occasions by the Georgia Supreme Court, Clarence Henderson today is without "conditional" freedom because of a legal dispute over a slang expression .... "dead docket."

It all started last week when Solicitor General Wright Lipford of Carroll Superior Court made a motion to the presiding judge for the court to "dead docket" two cases in which (1) Henderson was charged with murdering Carl Stevens, Jr. on the night of October 31, 1948 and (2) later charged with the offense of robbery on the person of Stevens on the same night.

The solicitor, in making the motion to the court, stated that the Supreme Court of Georgia had ruled on two different occasions that the evidence produced by the State was insufficient in law to identify Henderson as the perpetrator of the crime, and that he (the solicitor) was without any other evidence.

After the case was "dead docketed," Attorney Dan Duke asked for the release of Henderson, who has been in jail three years. The judge informed him that he would have to enter a motion for bond.

Duke contended that, under Georgia law, when a case is put on the "dead docket," the action releases the accused from jail without bond. The accused is then free until new evidence warrants reopening the case, since there is no law which puts a limit on the time period in which the case must be reopened.

Solicitor Lipford says "dead docket" is a slang expression which gives the idea that the case is finished but "it actually is in the same status as if the man is arrested and no hearing has been set."

And while Attorney Duke and the court differ, Henderson remains in jail at the expense of the citizens of Carroll county.

If Duke's contention — that Henderson should be freed without bond — is sustained by Georgia law, then a "writ of habeas-corpus" should be filed to obtain Henderson's release.

In either case, Henderson would, after more than 36 months, be free to assume support of his wife and three children, thus saving the taxpayers money.

We offer this comment not as a criticism to impair the dignity of the court or Henderson's attorney.

We offer it because the public has a right to know and because the public depends primarily upon the press for its knowledge and appraisal of how its judicial system is working.

We know of no judge who would deny the public of making that assay.

Group, seeking to visit Negro slayer, runs into racial laws

LOVEJOY, Ga., Dec. 26—(AP)—A mixed racial group of Eastern women interceding for Rosa Lee Ingram, convicted Negro murderess, encountered Georgia's segregation laws today when they sought to take their appeal to Gov. Herman Talmadge.

Calling at the governor's farm home after a taxicab trip from Atlanta and finding him absent on a holiday hunt, they were invited to await his return—the white women in one group, Negroes in another.

"We have segregation here," the governor's wife told the callers. "But we have comfortable homes for colored people on the farm. The colored women are perfectly welcome there."

THE WHITE WOMEN in the delegation were invited into the white-columned, colonial-type home on the plantation.

But they refused the invitation and all, white and Negro, returned to the cabs that had brought them, to wait on Talmadge.

The "taxicab march" on the governor was organized after a court order stopped them from paying a Christmas Day visit to the controversial Mrs. Ingram at the Georgia penitentiary at Reidsville.

The women went from Reidsville to Atlanta, where Miss Elaine Ross, a leader, said they had first telegraphed the governor. Finding him absent from his Atlanta office for the holidays, they decided to besiege him at his home.

THEIR PURPOSE, Miss Ross announced, was to protest their failure to see Mrs. Ingram in prison and seek her liberation.

Miss Ross gave her address as 22 W. 26th-st, New York, and said she was associated with the Civil Rights Congress.

The governor had shown little sympathy with the visit of the women when plans for it were disclosed in New York by William L. Patterson, executive secretary of the Civil Rights Congress.

The highway patrolmen served the injunction forbidding the women to go within a mile of the Tatnall Prison yesterday.

A spokesman for the six Negro and five white women said they resented being stopped by "vicious hoodlums and Klansmen."

The spokesman, Mrs. Mabel Thompson of the Negro Labor Council, said the group only intended to bring "a bit of Christmas greeting to this woman." She referred to Mrs. Rosa Lee Ingram, serving a life term for the 1947 murder of John Stratford, a white tenant farmer, near Ellaville, Ga.

THE DEFENSE contended Mrs. Ingram killed Stratford because he tried to rape her. The prosecution said the killing followed an argument over the woman's mule grazing on Stratford's field.

Some of the Eastern visitors contended Mrs. Ingram killed Stratford because he tried to rape her. The plea of Mrs. Ingram at her trial, however, was self-defense.

Mrs. Ingram, 43, and her two sons —Wallace, who was 16, and Sammy, 14, at the time—were convicted in 1948 and sentenced to death. The penalty later was reduced to life imprisonment. Many protests and demonstrations followed the conviction.

Protest Group Given Rebuff By Talmadge

Georgia's segregation laws and a rebuff from Governor Talmadge Friday dealt a setback to six white and four Negro women from New York who sought to intervene for Rosa Lee Ingram, Schley County Negro woman serving a life term for the slaying of a white farmer.

A co-leader of the group identified herself as Elaine Ross, a representative of the Civil Rights Congress, twice cited by the Department of Justice as Communistic and subversive.

Talmadge told the group which went to his farm at Lovejoy that state law gives him the power to pardon or parole the Schley County woman. This power rests with the State Pardon Board.

Charlie Pannell, member of the board, said Mrs. Ingram would not be eligible for parole consideration until 1955. Rules of the board require a life termer to serve seven years before consideration for parole. Last January, the board turned down an appeal to make an exception of Mrs. Ingram and her two young sons, who were convicted with her in 1947.

The group told the governor they were shocked when state troopers with a court order stopped them a mile away when they tried to pay a Christmas Day visit to the Ingram woman at Tattnall State Prison at Reidsville.

"I read," Talmadge replied, "that the same group (Civil Rights Congress) demonstrated at Sing Sing for Mrs. Rosenberg, a convicted traitor, and we don't want anything like that happening in Georgia."

The governor referred to a New York demonstration for Julius and Ethel Rosenberg, under a death sentence for treason.

Talmadge said prison rules permit only relatives or attorneys to visit convicts at the state penitentiary. He told the New Yorkers they would be given the same respect and privileges given any citizens of Georgia.

When the group first arrived at the Talmadge farm from Atlanta in taxicabs, the governor was on a hunting trip. Mrs. Talmadge invited them to await his return in segregated groups.

"We have segregation here," Mrs. Talmadge told them. "The white women are welcome to come inside and the colored women may wait with some nice colored people here on the farm."

The mixed group spurned the offer and waited in their cabs.

Homer Almond Goes To Chair

ATLANTA, Georgia — (SNS) — Homer Almond died in the electric chair Saturday at the state prison in Reidsville following a denial of a motion for a new trial.

Almond, former Tucker, Georgia, handyman, convicted of the Aug 20 strangulation murder of Mrs Winnifred Gabriel, a white woman, went to his death without admitting the killing, Warden R. P. Balkcom said.

During his trial Almond steadily maintained his innocence and named a white man, who later was found and brought to DeKalo officials, who said Almond was unable to identify the white man in a lineup.

Almond is survived by a wife and two children, who now are living in Atlanta.

Henderson Case Heads For Supreme Court For Third Time

BY ROBERT E. JOHNSON
Atlanta Daily World Staff Writer

The criminal case of Clarence Henderson, convicted Carrollton sharecropper doomed to die by electrocution as the alleged murderer of Georgia Tech's Carl "Buddy" Stevens October 18, 1948, is headed for the Georgia Supreme Court a third time.

Clerk K. C. Bleckley of the Supreme Court said Henderson's case is scheduled to be heard Monday, April 14. The call of the cases for argument in the state's highest tribunal will begin at 9 A. M. Henderson's case is tenth on the court calendar.

Oral arguments by Attorney Dan Duke, representing the thrice-doomed Georgia farm hand, will be made before Chief Justice W. H. Duckworth, Presiding Justice William Y. Atkinson and Associate Justices Lee B. Wyatt, T. Grady Head, T. S. Candler, J. H. Hawkins and Bond Almand.

Attorney Duke will be arguing points of law — points which, if won, may begin uncoiling the controversial trial proceedings of Carroll County Superior Court which now lay firm claim on Henderson's life.

The Atlanta attorney, contacted at his office, said because of legal ethics and his deep respect for the Supreme Court justices he would not comment on his pending appearance before the court.

Background for the scheduled Supreme Court hearing of the Henderson case is a 370-page indexed Transcript of Records of the trial proceedings in narrative form.

This brief of evidence contains 18 grounds on which Attorney Duke claims there is not sufficient evidence to sustain a jury's verdict against Henderson and two motions for mistrials by the defense counsel.

The transcript, filed as part of court records, shows:

Henderson was brought to trial before Judge Samuel J. Boykin in the Superior Court of Carroll County on October 8, 1951. Before the trial Defense Attorney Duke, on August 25, 1951, brought a special motion in the case.

Judge Boykin, having entertained the special motion and having heard evidence submitted and arguments by the defense counsel, overruled and denied certain requests for relief contained in the motion.

Attorney Duke then filed a Bill of Exceptions to Judge Boykins' rulings "as erroneous and contrary to law."

On October 12, 1951, Henderson was found guilty of murder without recommendation of mercy and was sentenced to be electrocuted.

Then on January 19, 1952 an amended motion was filed in behalf of Henderson, requesting a new trial together with a brief of the evidence in narrative form in the case, all of which were approved and certified by the judge.

Judge Boykin, on February 2, 1952 overruled and denied the motion for a new trial as amended. The defense counsel then named Henderson as plaintiff in error, and the state of Georgia as defendant in error, and assigned "error on all of the orders, rulings and judgments complained of herein (Bill of Exceptions) as contrary to law and erroneous orders, rulings and judgments," and asked that his Bill of Exceptions be "certified to and transmitted to the Supreme Court of Georgia in order that the alleged errors may be considered and corrected — all as provided by law."

Finally, on February 13 Henderson filed a Pauper Affidavit in Cowetta County, saying "that he is because of his poverty, unable to pay the costs" in the case.

He said his pauper plight was a barrier to him in the legal process in that he could not afford further expense of litigation and expenses of defense witnesses.

The court said it would subpoena witnesses for the defense.

Henderson's case attracted nationwide press coverage and prompted many controversial issues in connection with it.

Attorney Duke will ask the Supreme court to find the lower court in error, thus staying the execution and paving the way for another trial.

Georgia Refuses To Free Mrs. Ingram

By C. W. GREENLEA

ATLANTA, Ga. — (ANP) — The Georgia pardon and parole board last week refused to consider freeing Mrs. Rosa Lee Ingram and her sons, Wallace, 16, and Sammie Lee, 18, before they serve seven years of a life sentence in connection with the 1948 slaying of John E. Stratford, white Schley county farmer.

The parole board had heard a plea by Atlanta Atty. A. T. Walden to make an exception to the seven years rule on life sentences, because of the "unusual extenuating circumstances" in the case.

Walden, supported by representatives of seven white church women's organizations in the state, had asked the three-man board to think of the case as though the parties were "racially reversed." Had this been a fact, he contended, there would never have been a trial. He contended that it was a self-defense act on Mrs. Ingram's part, and her young sons acted to defend their mother.

Mrs. Ingram, 42, was attacked with a gun by the elderly Stratford, after her livestock strayed into his corn field. The mother of 12 children, working in her adjacent field struck the white farmer with a farm tool, killing him. All three defendants were sentenced to the Georgia death chair, but it caused such an international commotion that the sentence were later commuted to life imprisonment.

In making the ruling that the Ingrams must first serve seven years before seeking parole, the board said that from its "investigative reports and study of the case, it appears that there were two separate encounters between the deceased and the three prisoners...It further appears that the prisoners successfully resisted the first encounter and that the deceased broke away and ran 141 steps, was overtaken and beaten to death." The board concluded, "by this unnecessary action on the part of the prisoners, it is believed that the jury was fully authorized in finding them guilty of murder."

Mrs. Ingram and her sons are confined in the state prison at Reidville, Ga.; her family is being cared for by an older daughter in Americus, Ga., with funds supplied by the NAACP.

Homer Almond Goes To Chair

Homer Almond died in the electric chair Saturday at the state prison in Reidsville following a denial of a motion for a new trial.

Almond, former Tucker, Georgia, handyman, convicted of the Aug. 20 strangulation murder of Mrs. Winnifred Gabriel, a white woman, went to his death without admitting the killing, Warden R. P. Balkcom said.

During his trial Almond steadily maintained his innocence and named a white man, who later was found and brought to DeKalo officials, who said Almond was unable to identify the white man in a lineup.

Almond is survived by a wife and two children, who now are living in Atlanta.

No Parole!

Rosa Ingram, Two Sons Must Remain in Prison

By WILLIAM A. FOWLKES JR.

ATLANTA—The Georgia Pardon and Parole Board last week refused to free Mrs. Rosa Lee Ingram and her two teen-age sons.

In a terse announcement signed by Chairman Edward Everett and board members Charles A. Pannell ad Mrs. Rebecca L. Rainey, the board said it could not make an exception to the established parole eligibility rule. Under Georgia regulations, life-termers must serve a minimum of seven years before the board will consider parole pleas.

Thus, Mrs. Ingram and the sons who came to her rescue when she was attacked by angry sharecropper John E. Stratford, white, must continue their prison term for the fatal blows inflicted in a field fight in 1948. They will not be eligible for parole until 1956.

The board based its rejection of tearful pleas to free the Ingrams on "a review of the investigative report and a study of all information available." Said the board, in part.

"Since all the information was before the jury, and the case was affirmed by the Supreme Court, and nothing additional has been presented to this board, the undersigned members vote not to make an exception to the established parole eligibility rule."

ED EVERETT
CHARLES A. PANNELL
MRS. REBECCA L. RAINEY.

* * *

Atty. A. T. Walden, who presented the Ingrams' plea for exceptions in a Capitol hearing several weeks ago, said he was completely surprised at the verdict. The attorney said he had expected at least one of the prisoners to be freed since trial testimony and investigation bore out that he did not strike the deceased a single blow during the encounter.

Georgia's NAACP counsel did not announce immediate plans for the Ingram case which has brought thousands of telegrams and letters to Georgia officials, begging clemency.

The Ingrams were found guilty by an all-white jury at Ellaville which sentenced them to death in the electric chair for the crime of murder. When court-appointed counsel appealed for a new trial, Presiding Judge W. M. Harper commuted their terms to life imprisonment. The Georgia Supreme Court refused to order a new trial, although observing the slimness of state evidence.

* * *

THE INGRAMS learned of the board's refusal to free them in their cells at Reidsville Prison. Attorney Walden was to officially notify them of the decision later.

Meanwhile, Mrs. Ingram's remaining children live in a South Georgia house built and furnished for them by thousands of contributions to the NAACP. Her eldest daughter, Mrs. Geneva Rushin, is caring for the other children with the help of the association.

Ingrams Plea For Freedom Denied

Atlanta, Ga.—(SNS)—The Georgia Pardon and Parole Board Tuesday refused to consider freeing Mrs. Rosa Lee Ingram, 42, and her sons, Wallace, 18, and Sammy Lee, 16, before they serve seven years of a life sentence in connection with the corn-field slaying of John Ethron Stratford.

The Schley County mother and her sons have become international cause celebres.

The Parole Board heard a plea by Atty. Austin E. Walden on January 14 to make an exception from the established parole eligibility rule for the trio. Walden is Georgia's counsel for the National Association for the Advancement of Colored People.

Mrs. Ingram and her sons are presently confined in the Georgia State Prison at Reidsville, Ga.

The three were sentenced to the electric chair for the 1948 slaying of a white sharecropper, Stratford, 66, in Schley County.

They maintained Stratford took a rifle after their mule when the animal wandered into his corn field.

When the defendants asked for a new trial, their sentences were commuted to life imprisonment. The action brought protest from sympathizers all over the world.

In making the ruling the three member board conducted a hearing into the case pointed out:

"From a review of our investigative reports and a study of all information available it appears that there were two separate encounters between the deceased and the three prisoners. It further appears from the evidence that the prisoners successfully resisted the deceased in the first encounter, that the deceased broke away and retreated 141 steps, was overtaken and beaten to death."

The group concluded: "By this unnecessary action on the part of the three prisoners it is believed that the jury was fully authorized in finding them guilty.

"Since all the information was before the jury, and the case was affirmed by the Supreme Court and nothing additional has been presented to this board the undersigned vote not to make an exception to the established parole eligibility rule."

Walden, in making his plea for the Negroes, asked the board to reverse the social situation" of the prisoners. He asked if they had been white would they have received the same sentence.

GEORGIANS CHANGE TACTICS ON NEGRO WHO ESCAPED ELECTRIC CHAIR ON RAPE-SLAYING CHARGE

Reduce Complaint to Armed Robbery in Attempt to Convict Accused Sharecropper

NEVER IDENTIFIED BY ACCUSER

By C. W. GREENLEA

ATLANTA, Ga.—(ANP)—Clarence Henderson, 32-year-old Georgia sharecropper who three times has cheated death in the state's electric chair for the supposed rape-slaying of a Carrolton, Ga., white student, must now overcome a new barrier to his freedom. Henderson will be tried on "armed robbery" charges on October 31, according to Wright Lipford, solicitor general of Coweta circuit court.

In Atlanta, NAACP officials, who employed attorneys to successfully defend the illiterate father of four children, said they would stick with the case until Henderson wins his freedom.

The Georgia State Supreme court last June reversed the death chair conviction for the third time, ruling that trial evidence was "not sufficient to support conviction."

Henderson had been tried and convicted three times for the "lovers lane" slaying of Carl "Buddy" Stevens, Carrolton, Georgia student of Georgia Tech in October 1948. Stevens had been shot by an intruder while he was with a woman companion on a dark lonely road near Carrollton.

Carroll county officials arrested Henderson for the crime a year later, November, 1949, after a pistol which they said was the death weapon, turned up in an Atlanta pawn shop was allegedly traced to the sharecropper.

At each of Henderson's three trials, the dead man's companion failed to identify Henderson, but declared that the attacker, who she said had tried to force her into abnormal sexual acts, "talked like a Negro."

The Henderson case received international publicity when the now defunct Community party of Georgia originally went to his defense, charging that the man had been framed and "railroaded to the electric chair." Three former party officials were fined and sentenced to jail for contempt of court for circulating leaflets accusing county officials of the frame-up and the court of not giving the man a fair trial.

The Atlanta NAACP then entered the case and carried it to the state high court three times for reversals in the convictions. Carroll county prosecutors relied heavily on testimony of ballistics "experts" from the Fulton county crime laboratory in an attempt to prove that the gun they said they had traced to Henderson was the death weapon.

NAACP attorney Daniel Duke discredited this evidence, which largely had caused the conviction, by revealing that George Cornett, the state's crime expert, was not even a high school graduate and had never studied chemistry or physics. The state high court ruled out testimony by Cornett and listened to pleas by Duke that some scientific standards be established by the state to prevent such miscarriages of justice.

Henderson had been indicted in 1950 for the "robbery angle" in the case after it came to light that the dead man's watch and four dollars had never been found.

Solicitor Lipford said the robbery charge would have to be disposed of before Henderson can be released. He was quoted as saying there are no present plans to retry Henderson on the murder charge. But he added that he would not formally drop the case. Henderson is being held in the Coweta county jail at Newman, Ga.

GEORGIA PAROLE BOARD REFUSES TO FREE ROSA LEE INGRAM AFTER BRILLIANT PLEA BY WALDEN

Black Dispatch P.5 Oct. 2-9-52

Says Prisoners Must Serve Seven Years Before Consideration Will Be Given Pardon

SELF DEFENSE ISSUE ATTACKED

ATLANTA, Ga. — (ANP) — The Georgia pardon and parole board last week refused to consider freeing Mrs. Rosa Lee Ingram and her sons, Wallace, 16, and Sammie Lee, 18, before they serve seven years of a life sentence in connection with the 1948 corn field slaying of John E. Stratford, white Schley county farmer.

The parole board had heard a plea by Atlanta Atty. A. T. Walden to make an exception to the seven year rule on life sentences, because of the "unusual extenuating circumstances" in the case.

Walden, supported by representatives of several white church women's organizations in the state, had asked the three-man board to think of the case as though the parties were "racially reversed." Had this been a fact, he contended, there would never have been a trial. He contended that it was a self-defense act on Mrs. Ingram's part, and her young sons acted to defend their mother.

Mrs. Ingram, 42, was attacked with a gun by the elderly Stratford, after her livestock strayed into his corn field. The mother of 12 children, working in her adjacent field struck the white farmer with a farm tool, killing him.

All three defendants were sentenced to the Georgia death chair, but it caused such an international commotion that the sentence were later commuted to life imprisonment.

In making the ruling that the Ingrams must first serve seven years before seeking parole, the Board said that from its "investigative reports and study of the case, it appears that there were two separate encounters between the deceased and the three prisoners . . . It further appears that the prisoners successfully resisted the first encounter and that the deceased broke away and ran 141 steps, was overtaken and beaten to death." The Board concluded, "by this unnecessary action on the part of the prisoners, it is believed that the jury was fully authorized in finding them guilty of murder."

Mrs. Ingram and her sons are confined in the state prison at Reidville, Ga.; her family is being cared for by an older daughter in Americus, Ga., with funds supplied by the NAACP.

Ga. Refuses To Free Mrs. Ingram And Sons

Digest p.8 St. Louis Mo

13c 2pc

ATLANTA, Ga. (ANP) — The Georgia Pardon and Parole Board last week refused to consider freeing Mrs. Rosa Lee Ingram and her sons, Wallace, 16, and Sammie Lee, 18, before they serve 7 years of a life sentence in connection with the 1948 cornfield slaying of John E. Stratford, white Schley county farmer.

The parole board had heard a plea by Atlanta Attorney A. T. Walden to make an exception to the seven-year rule on life sentences, because of the "unusual extenuating circumstances" in the case.

Walden, supported by representatives of several white church women's organizations in the state, had asked the three-man board to think of the case as though the parties were "racially reversed." Had this been a fact, he contended, there would never have been a trial. He contended that it was a self-defense act on Mrs. Ingram's part, and her young sons acted to defend their mother.

Mrs. Ingram, 42, was attacked with a gun by the elderly Stratford, after her livestock strayed into his cornfield. The mother of 12 children, working in her adjacent, field struck the white farmer with a farm tool, killing him.

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Mrs. Ingram and her sons are confined in the state prison at Reidville, Ga.; her family is being cared for by an older daughter in Americus, Ga., with funds supplied by the NAACP.

Ga. Board Considers Walden's Appeal

By W. A. FOWLKES Jr.

ATLANTA — Georgia's Board of Pardons and Paroles took under consideration Monday, impassioned appeals for freedom of Mrs. Rosa Lee Ingram and her two young sons.

White church women leaders and a club council spokesman joined NAACP attorney A. T. Walden in a collective plea to end imprisonment of the Negro mother and children convicted of slaying a Schley County white man, allegedly in self-defense.

EYES MOISTENED

Their pleading with the board of two white men and a woman moistened the eye of many a spectator who crowded the small, State Capitol fourth floor office of Chairman Edward B. Everett.

The petitioners asked that Everett and board members, Mrs. Rebecca Rainey and Charlie Pannell, make exceptions to the seven-year rule and grant the Ingrams freedom at this time because of "unusually extenuating circumstances."

Strongly and resolutely, Mrs. A. A. Hardy, white, of Thomaston, president of the Georgia Council of Church Women; Mrs. Spann W. Milner, white, president of the Atlanta Council of Church Women, and Mrs. Julia Pate Borders, of the Atlanta Metropolitan and National Council of Negro Women, urged that Mrs. Ingram be freed to return home to her orphaned children and help raise them to worth-while citizenship.

WALDEN PLEADS

Atty. Walden introduced the petition to the board, reviewing the case from the hour trouble began to brew Nov. 4, 1947, on the sharecropper farm in rural Schley County. He related how Mrs. Ingram, the widowed mother of twelve children was working in the field along with three of her sons when John E. Stratford, a white neighboring sharecropper, suddenly entered the plot.

"After cursing at her," Walden related, Stratford said he was going to get his rifle to kill a mule and pigs belonging to Mrs. Ingram and which are said to have strayed over on the Stratford-tenanted property. The white man did go home and return with a rifle and after finding that the livestock had been driven off his premises by the Ingrams turned his anger upon the mother, she testified.

When Stratford attempted to beat Mrs. Ingram over the head with the rifle and cut her with a knife, according to her testimony, he was attacked with farm implements, suffering a fatal blow on the head.

BOYS HELPED MOTHER

The boys, Wallace and Sammie Lee Ingram, "17 and 14 years of age, respectively, at the time of the homicide, illiterate and unlettered country lads, responded to the natural impulse to go to the rescue of their entreating mother who was being attacked," Atty. Walden pleaded.

"Under such circumstances," the NAACP lawyer went on, "taking into consideration the difference of race and social status of the parties, there was reasonably and inevitably created such extenuating circumstances as to justify this honorable body to ameliorate the rigors of the judicial process, in consonance with the higher dictates of humanity."

The Ingrams were meted the death sentence in Schley County Superior Court Jan. 28, 1948, a little over two months after police found Stratford's dead body lying in the field, a rifle beside it. A nation-wide protest and NAACP appeal for new trial resulted in commutation of the original death sentence to life imprisonment by the late Judge W. M. Harper at Americus.

The Georgia Supreme Court affirmed the life terms, but thousands of sympathetic Americans and scores in foreign lands flooded federal and State administrative offices with appeals to free the Ingrams for their "self-defense" act.

NOTHING NEW

Since no new evidence was presented the Pardons and Parole Board, the Ingrams' attorney requested "exceptions" under which they might be spared serving seven years before becoming eligible for consideration for parole.

The Ingrams "still maintain and assert their collective and individual innocence of the crime of which they stand convicted," Walden told the Board, although "they have been advised that the question as to their legal guilt has been judicially established."

The attorney pointed out their law-abiding records previous to their convictions and their uniformly good records since beginning the service of their sentences Aug. 9, 1948.



ATTY. A. T. WALDEN



MRS. JULIA PATE BORDERS

Death Sentence For Ga. Negro Upheld

ATLANTA. — (ANP) — The murder conviction of Homer Almond, 48, DeKalb County Negro, was upheld by the Georgia State Supreme court last week. Almond, general handy man for the Gabriel family, white, of Decatur, Ga., was sentenced to die in the electric chair for the slaying of Mrs. Garnet N. Gabriel after his conviction by an all white DeKalb jury last August 31.

The nude body of the dead woman was found in the celler of her home, and Almond, who lived in a rear house with his wife, was arrested for the crime.

He maintained his innocence throughout a grueling trial and declared that a white man, Clarence Ragland, committed the crime and forced him at gun point to help carry the body to the basement. Authorities released Ragland when Almond allegedly failed to identify him in a police lineup. Mrs. Gabriel's husband said he did not know the man named Ragland.

Ingrams' Parole Hinges on Probe

ATLANTA—The Georgia Board of Pardons and Paroles last week dispatched an investigator to Schley County to look further into the events that surrounded the 1948 slaying of a white sharecropper, John E. Stratford.

The fate of Mrs. Rosa Lee Ingram and her two sons, Wallace and Sammie Lee, rests upon this investigation and the effect of the pleas of NAACP Atty. A. T. Walden and others before the Parole Board on Monday, Jan. 4.

Through their counsel, the Ingrams asked that the board consider a plea for exceptions to the rule that they must serve seven years on a life sentence before being eligible for parole.

NO FIREWORKS

It was also contended that the jury conviction and final life term sentencing was excessive since the white farmer allegedly was attacking Mrs. Ingram with gun in hand in a field when struck a fatal blow with his own weapon.

Failure of fireworks to explode at the hearing completely surprised Board Chairman Edward Everett and members Mrs. Rebecca Rainey and Charlie Pannell. The white press had been alerted and appeared in full at the hearing because an opinion had been formed that a pressure group was behind the some 50,000 pieces of mail from virtually every state in the union and overseas countries, asking the Ingrams' release.

Chairman Everett had stated that most of the cards and letters ran according to a given form.

But nothing at the Jan. 14 hearing indicated anything except that Georgians and sympathetic Americans were interested in the plight of the farm woman and the sons who "acted in self-defense as natural as any other persons would have done," in the words of some witnesses.

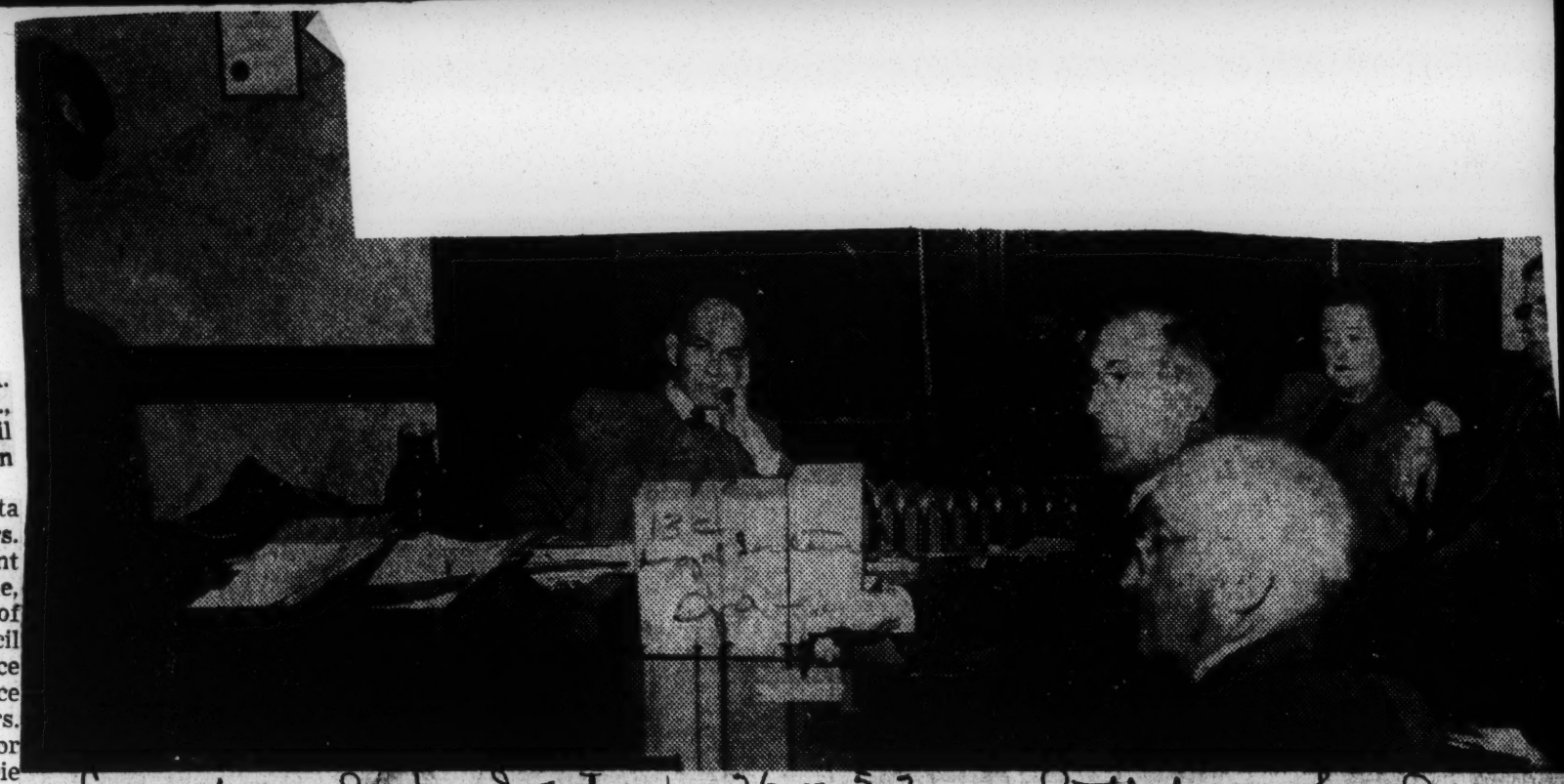
In an apparent effort to screen persons in the room after Attorney Walden had exhausted his list of scheduled speakers, board members opened up the session "for any interested person present to speak."

Those who took the opportunity to say a word for the Ingrams followed the logical and orderly tone set by Counsel Walden.

Those who actually spoke at the hearing, scheduled and unscheduled, included: Mrs. A. A. Hardy, white, of Thomaston, Ga., president of the Georgia Council of Church Women: Mrs. Soann W. Milner, white, of the Atlanta Council of Church Women; Mrs. Alberta Ahern, of the Millitant Church Movement, Louisville, Ky.; Mrs. Julia Pate Borders, of the Atlanta and National Council of Negro Women; Mrs. Beatrice R. Goodloe, of the national office of the Civil Rights Congress; Mrs. Senora Lawson, Sojourners for Truth and Justice; Miss Valarie G. Robinson, District 65, DPOWA, New York; Mrs. W. A. Scott, Atlanta; Mrs. Ada B. Jackson, executive secretary of Church Women United, and the Rev. William Holmes Borders, pastor of Wheat Street Baptist Church, Atlanta.

Both Attorney Walden and the Rev. Mr. Borders stressed the point that there never would have been a trial of the Ingrams for killing Stratford if the racial identities had been reversed.

Mrs. Ingram and her sons were first sentenced to die for the Stratford slaying, but Presiding Judge W. M. Harper later commuted the sentence to life imprisonment. The Georgia Supreme Court upheld this sentence.



Ingrams' Fate in Their Hands—The Georgia Board of Pardons and Paroles listens intently as Atty. A. T. Walden, left, pushes the NAACP case for release of Mrs. Rosa Lee Ingram and her two sons, Wallace and Sammie Lee, from prison. Board members are Chairman Edward Everett, center of table; Mrs. Rebecca Rainey and Charlie Pannell, right, rear. Other persons in picture are a board investigator and visiting lawyer.—Reese Photo.

Racial Plea Fails To Win Early Parole

A plea for parole of a Negro mother and her two sons, serving life for the 1948 slaying of a white sharecropper in Schley County, was rejected Tuesday by Georgia's Pardon and Parole Board.

Rosa Lee Ingram, now 42, and the boys, Wallace, 18, and Sammie Lee, 16, had asked the board to make an exception to its unbroken rule that no one sentenced to life imprisonment may be paroled in less than seven years.

They were represented in their plea by Atlanta Negro attorney Austin T. Walden, who asked the board to "reverse the social situation in your mind. . . . What if the family had been white and the deceased a Negro?"

But the board held that the dead man, John E. Stratford, "was overtaken and beaten to death in an unnecessary action by the three prisoners . . ."

"By this action," the board held, "it is believed that the jury was fully authorized in finding them guilty of murder, and since then nothing additional has been presented to this board." The decision was signed by Chairman Ed Everett, Charles A. Pannell and Mrs. Rebecca Rainey.

Georgia Court Saves Negro From Death

ATLANTA, Ga. — The Georgia Supreme court last week for the third time voided a death sentence given Clarence Henderson, a sharecropper, despite testimony of the companion of the victim. Henderson was sentenced in connection with the "lovers lane" slaying four years ago of a Georgia Tech student.

Henderson, protesting that he was innocent, was convicted three times for the 1948 slaying of Carl (Buddy) Stevens, son of a Carrollton, Ga., auto dealer. The case attracted attention when the Communist party of Georgia circulated literature protesting the first conviction.

In the latest ruling, the Supreme Court said the only additional evidence was a statement of a girl companion of Stevens that she recognized Henderson's voice as that of the killer. The court, however, held her testimony was only an opinion and insufficient identification under the law.

The girl, now 25 and married, testified that Stevens was bludgeoned and shot to death while attempting to protect her from a rape attack.

Solicitor General Wright Lipford, of the Coweta circuit, was undecided on possibilities of further prosecution. He said:

"I have not seen the opinion of the Supreme court and as to whether the case will be further prosecuted depends on the study of that decision."

However, he previously had indicated that charges would not be dropped.

Ingram Freedom Hinges On Parole Board Investigation

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Freedom or continued confinement for Mrs. Rosa Lee Ingram and her two sons hinges upon an on-the-spot investigation into the circumstances of the corn-field slaying of John Ethron Stratford, 66-year-old sharecropper back in 1948.

Investigators are being sent into Schley County following a hearing Monday before the board on a petition seeking clemency for the three.

The mother and her two sons, Wallace and Sammie, were convicted in 1948 of slaying Stratford, white farmer of Ellaville. Testimony at the trial showed that Stratford engaged in an argument with the Negroes over livestock damaging his crops.

Wallace was 16 and Sammie 14 when they were convicted. Mother and sons were given death sentences at the trial but Superior Court Judge W. M. Harper later reduced the penalty to life terms.

Chairman Ed Everett of the pardon board said he had been flooded with 50,000 pieces of mail asking release of the 43-year-old woman and her sons. The letters came from nearly every state but were so much alike many of them obviously were distributed by some "pressure group" Everett said.

Communist and other left wing groups have interceded in the case at various times.

A claim that the sentences were excessive was presented to the board by A. T. Walden, Atlanta Negro attorney. Walden said if the racial relationships in the case had been reversed there would not have been a trial.

A resolution was presented from the Militant Church Movement asking release of the trio by Miss Alberta Ahern, of Louisville, Ky.

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A resolution was presented from the Militant Church Movement asking release of the trio by Miss Alberta Ahern, of Louisville, Ky.

Mrs. Portia M. Thorpe and son have gone to Indianapolis, Ind. to visit relatives and friends.



AMONG THOSE PRESENT at the parole hearing of Mrs. Rosa Lee Ingram and her two sons from serving a life sentence, left to right, Mrs. W. A. Scott, Sr., Atlanta Daily World and Club Woman of Atlanta; Mrs. Beatrice R. Goodloe, National Office of the Civil Rights Congress; Mrs. Senora B. Lawson, Representative of Sojourners for Truth and Justice; Mrs. Ada B. Jackson, Executive secretary of Church Women United; Mrs. Alberta Ahearn, Militant Church Movement of Louisville, Kentucky and Miss Valarie G. Robinson, representing District 65, DPOWA, New York independent labor organization. — (Photo by Perry)

Supreme Court Upholds Almond Conviction

The murder conviction of Homer Almond, 48, old construction worker, has been upheld by the Georgia Supreme Court.

Almond, general handy man for the Gabriel family, white farmers of Tucker, Georgia, was sentenced to die in the electric chair for the slaying of Mrs. Garnet N. Gabriel after his conviction by an all white jury in DeKalb Superior Court last August 31.

Almond's court appointed attorneys appealed the conviction to the Supreme Court, which recently upheld the conviction. Judge Frank Guess of DeKalb Superior Court will re-sentence Almond.

Almond continuously pleaded innocence to the charge and implicated a Clarence Ragland, a white man. Ragland was located in Carrollton Ga., but police said they released him after Almond was unable to identify him in a line-up last September. The slaying reportedly took place on Aug. 20, 1951, when the white woman's body was discovered. Almond's court appointed lawyers were: H. O. Hubert, Jr., W. H. Armstead and Thomas Davis.

Seek Freedom For Georgia Mother And Sons

ATLANTA, Ga., Jan. 12.—(Special)—Freedom will be sought for Mrs. Rosa Lee Ingram and her two sons, Wallace 17, and Sammy Lee 14, at a Georgia Parole Board hearing Monday at the state capitol.

Atty. Austin T. Walden, counsel for the National Association for the Advancement of Colored People, will represent Mrs. Ingram.

International interest has been centered on the "Ingram case" since the trio was convicted and sentenced to death in connection with the "corn field slaying" of John Ethron Stratford, an aged tenant farmer of Schley County, Ga.

The late W. N. Harper reversed the death sentence at Americus and commuted the trio to life imprisonment following world-wide protest at the original death penalty. Various Communist groups staged demonstrations in behalf of the Ingrams, but the NAACP stoutly denied that they participated in the defense or aid to the Georgia family.

The Ingram Case became international cause celebre following an Atlanta Daily World story by the late J. Richardson Jones which told how the mother and her sons were tried, convicted and sentenced within a period of three days.

The trio pleaded that after an argument over a mule, Stratford was slain in a "continuous struggle."

For the past three years, Mrs. Ingram and her sons have been confined at the Reidsville State Prison.

The plump, rapidly aging woman, in exclusive interview with the Atlanta Daily World last August 19, told of her longing to rejoin her children.

Convicted Trio Must Serve At Least 7 Years

Daily World

Georgia Parole Board Refuses To Make An Exception

Wed. 1-30-52

By The Scott Newspaper Syndicate

The Georgia Pardon and Parole Board Tuesday refused to consider freeing Mrs. Rosa Lee Ingram, 42, and her sons, Wallace, 18, and Sammy Lee, 16, before they serve seven years of a life sentence in connection with the corn-field slaying of John Ethron Stratford.

The Schley County mother and her sons have become international cause celebres.

The Parole Board heard a plea by Atty. Austin E. Walden on January 14 to make an exception from the established parole eligibility rule for the trio. Walden is Georgia's counsel for the National Association for the Advancement of Colored People.

Mrs. Ingram and her sons are presently confined in the Georgia State Prison at Reidsville, Ga.

The three were sentenced to the electric chair for the 1943 slaying of a white sharecropper, Stratford, 66, in Schley County.

They maintain Stratford took a rifle after their mule when the animal wandered into his cornfield.

When the defendants asked for a new trial, their sentences were commuted to life imprisonment. The action brought protests from sympathizers all over the world.

In making the ruling, the three-member board conducting a hearing into the case pointed out:

"From a review of our investigative reports and a study of all information available it appears that there were two separate encounters between the deceased and the three prisoners. It further appears from the evidence that the prisoners successfully resisted the deceased in the first encounter, that the deceased broke away and retreated 141 steps, was overtaken and beaten to death."

The group concluded:

"By this unnecessary action on the part of the three prisoners it is believed that the jury was fully authorized in finding them guilty of murder.

"Since all the information was before the jury, and the case was affirmed by the Supreme Court and nothing additional has been presented to this board, the undersigned vote not to make an exception to the established parole eligibility rule."

Walden, in making his plea for the Negroes, asked the board to "reverse the social situation" of the prisoners. He asked if they had been white would they have received the same sentence.

WALDEN PLEADS BEFORE GEORGIA BOARD OF PARDONS FOR RELEASE OF MRS. INGRAM AND TWO SONS

Black Dispatch P-1

Action on Petition Signed by 3,000 To Be Taken Sometime This Month; Judge Who Rendered Sentence Now Dead

Dat. 3-2-52 Oklahoma City

WHITE WOMEN JOIN IN TEARFUL PLEA FOR JUSTICE

By C. W. Greenlea

ATLANTA, Ga. — (ANP) — The Georgia Pardon and Parole Board Tuesday took under advisement a petition asking for freedom for Rosa Lee Ingram, 44-year-old widow, and her two sons, Wallace, 20, and Sammy Lee, 17, whose conviction in 1948 for the murder of a white farmer brought international protest.

The trio was given the death sentence Jan. 28, 1948 by the late Judge W. N. Harper, after a Sumpter County jury found them guilty of slaying a 60-year old sharecropper, John Ethron Stratford, during an argument over the Ingram's mule and pigs wandering in Stratford's field.

Following the hearing it was learned that investigators had been sent to Schley County for an on-the-spot check into the cornfield slaying.

Atlanta attorney A. T. Walden, representing the NAACP, along with representatives of several organizations, white and colored, made impassioned pleas for the freedom of the Ingrams. In the crowded state capitol chamber, some of the spectators were so obviously affected that tears flowed freely.

Walden claimed the sentences, commuted to life imprisonment after a nationwide protest over the death chair verdict, were excessive. He asked that the Pardon Board make exceptions to the rule that life term prisoners must serve a minimum of seven years, because of "unusually extenuating circumstances in this case."

Chairman Edward D. Everett and his two colleagues, Mrs. Rebecca Rainey and Charlie Pannell, listened attentively to the petitioners. They will make their decision sometime this month.

Walden's plea was backed up with 3,000 signatures and resolutions from persons and organizations all over the country, pleading for release of the three Ingrams.

Chairman Everett said he had been flooded with 50,000 pieces of mail asking release of the trio, but added that although the letters came from every state in the union, they were so much alike that they were obviously distributed by some "pressure group."

Communist and other left wing groups have interceeded in the case at various times.

Walden told the board that if the racial identity of Mrs. Ingram and Stratford had been reversed, there would not have been a case against her. He declared that the two young sons "responded to a natural impulse to go to the rescue of their mother."

Wallace was 16 and Sammie Lee 14 when they were convicted and given the death sentence.

Supporting Walden with additional pleas were Mrs. A. A. Hardy, white, of Thomaston, Ga., president of the Georgia Council of Church Women; Mrs. Spann W. Milner, white, president of the Atlanta Council of Church Women; Mrs. Julia Pate Borders, Atlanta Metropolitan Council and National Council of Negro Women; Mrs. Geneva Haugabrooks, Georgia Ingram Committee, and Miss Alberta Abern, Militant Church Movement of Louisville, Ky.

Also in attending the hearing were Mrs. Beatrice R. Gooloe, national office of the Civil Rights Congress; Mrs. Senora B. Lawson, representative of the Sojourners for Truth and Justice; Mrs. Ada B. Jackson, executive secretary of Church Women United, and Miss Valarie G. Robinson, District 65, DPOWA, New York independent labor organization.

Reviewing the case from its beginning, Nov. 4, 1947 when Mrs. Ingram and Stratford had the unfortunate fight, Atty. Walden told her mule and pigs, and felled him with a blow of a farm tool, he said.

He did go into his home and returned with the rifle but finding her corn field was approached by Stratford cursed Mrs. Ingram and the rifle and cut her with a knife.

Testimony, he said, showed that upon Mrs. Ingram, the mother turn with the rifle and killed her angry white neighbor, Stratford, about the errant livestock.

Mrs. Ingram and her sons overcame Stratford and his two sons, Walden told the board, only after the animals had been driven off his property and that the mother turned in anger that he was going to get his

SAMOAN 'TOUGH GUYS' BROTHERS COMMIT FIENDISH MURDER OF NEGRO IN HONOLULU POOLROOM

Beach Dispatch p. 12

Polynesians Possess Deep Hatred For Negroes Who Have Located in Capital of Hawaii

13c

Jul. 2-23-52

RECORD SHOWS MEN GUILTY OF OTHER ASSAULTS

By Frank Marshall Davis

HONOLULU - (ANP) - An almost pathological hatred of Negroes by two Samoan "tough guy" brothers resulted in the fiendish slaying on a downtown public street of a Pearl Harbor civilian worker who came to the aid of a friend in a minor poolroom brawl.

The husky brothers, who themselves would undoubtedly be classed as Negroes on the Mainland, are Alema, 25, and Reid Leota, 21. Their victim was Charles L. Nelson, 39, who had been employed in the huge naval installation at Pearl Harbor for 10 years.

Oahu

The killing took place in a poolroom on the edge of the Smith Street district, a small area which has become the focal point of Hawaii's Negro population. Nelson was shooting pool and a friend, Robert Clay, was waiting to shoot next. Clay stepped back and bumped accidentally into one of the much larger Leotas.

Although witnesses say Clay apologized immediately, he was hit by Leota and knocked to the floor. When he got to his feet the other brother knocked him down. Nelson, who intervened when the pair assaulted his friend, was attacked with a pool cue. The brothers kicked him out to the sidewalk where they continued beating him with the cue until it broke, then pounded him with their fists and jumped up and down on his body with such severity that he suffered a ruptured heart and other internal injuries, dying almost immediately.

When police were called, they found the brothers only a short distance away. Alema Leota tried to throw away a loaded .38 caliber pistol. A search of their car revealed another pistol stolen several months ago from a policeman. They must face trial for murder in addition to charges of being offensively armed.

The slaying took place only a few days after Reid Leota had been given a six-month jail sentence for carrying an unregistered pistol, with all but one month being suspended. He was free on appeal.

According to police, the Leotas have been involved recently in other scrapes with Negroes. Under questioning in the Nelson killing, one brother told officers: "I don't like niggers."

They are understood to be part of a Samoan element living on the islands who have a wild hatred for Negroes. Samoans, a Polynesian people, vary in color from light brown to almost black. They often have extremely powerful and rugged builds.

The Samoans are concentrated mainly in a village known as Laie on the northern part of this island, about 35 miles from Honolulu. This is also where the Leotas lived.

In addition, Laie is the site of the Morman Temple, one of the show places of the island. Most of the Samoans are Mormons. Since it is known that the Morman church is anti-Negro, speculation has risen that this may be the basis for the anti-Negro attitude on the part of one Samon element.

However, such a feeling is not shared by all Samoans. This writer lives five miles from Laie and has personally found many to be warm and friendly. Some of the younger Samoans served in World War II beside Negro units and not only developed friendships but returned with an enlarged vocabulary including the latest jive talk which they mix with the local "pidgin English."

Most of the clashes involving Negroes and Samoans have had their roots in the vice racket of dope peddling and prostitution. A number of Negroes are involved in these illegal activities, and heads of rival groups often employ husky Samoans for "strong arm" work. Because of this, there have been several beatings and a few shootings in the underworld.

Report Anti-Negro Samoan Brothers Kill Workman

moved p. 5 from Beach

13c

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Jul. 2-22-52

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13c 1952

Illinois

Colored Millionaire Defied White Mob; Last Of Digit Kings

BY VERNON JARRETT

CHICAGO — (ANP) — "Black Robin Hood" is gone Some 75,000 paid homage last week to Thodore Roe, slain policy baron, gambler and hero.

More than 50,000 tried to get to his funeral at the First Church of Deliverance Friday and another 25,000 had filed by his bier at the Jackson chapel since Wednesday — a final gesture to the ex-Louisiana plantation hand who made a fortune in Chicago with his "poor man's stock exchange." Only about 2,000 were able to get inside the church.

Roe was the last of Negro digit kings in Chicago.

For nearly a quarter century the "benevolent" policy king had waged a one-man guerilla war against white mob rule and so-called law and order in the terrifying ghetto jungles of Chicago. And until late Monday night, he was winning against both.

Roe was murdered from close range by two white mobsters who made him the target of five high-velocity shotgun shells near the slain man's home. Forty-five pea-sized slugs sprayed the passage between Roe and his bullet-proof special-built 98 Oldsmobile. Five pellets struck him in the jaw and chest as he reached for his snug nosed 38. He never touched the pistol.

Even in death, Roe continued to defy the white syndicate. The embalmers did a good job in hidin the jaw wounds, but they couldn't erase that defiant tight-lipped, sarcastic half smile so familiar to lesser men who challenged his kingdom.

Motionless in his $3,500 glass-sealed, metallic coffin, Roe seemed to tell the syndicate, "You didn't beat me down I was going to die soon anyway. I've got a belly ful of cancer." Doctors had given Roe 12 months to live a year ago when it was discovered that his stomach ailment was cancerous. He often told intimate friends, "I'll die in bed."

The Roe eulogy was conducted with smooth dignity. If Roe was a hero to the forsaken masses of Chicago's South Side, he was held with equal respect by many of the intellengtsia.

Heading the list of 62 honorary pallbearers were several big names in Chicago's political and social life, including Atty. Joseph Clayton, husband of Mrs. Edith Sampson, former alternate delegate to the United Nations General Assembly.

The big league gambler was eulogized by Rev. J. C. Austin, pastor of Pilgrim Baptist church, and the Rev. Clarence H. Cobb famed radio pastor of the First Church of Deliverance. Eddie Plique, IBC prize fight announcer, read telegrams and condolences. (Pliqoe announced the Sugar Ray Robinson-Jake LaMotta middleweight title fight here.) David W. Kellum ,former Defender "Bud Billiken," read Roe's obituary.

Ironically, while thousands were saying goodbye to the man who built a pyramid of pennies, nickles, dimes and quarters into a fortune, his old Idaho-Maine policy wheels were spinning as usual. The millionaire business— built by Negroes over the past 20 years— is now under the complete control by the Capone syndicate.

It is believed in some quarters that Clifford Davis, partner in the empire founded by the Jones Brothers, has taken over Roe's position as general manager. Davis and Roe reportedly ended their 20-year friendship, when Roe testified freely before the Kefauver committee here December, 1950.

Thus far the police department has been unable to find Davis.

SEARCH GOES ON FOR MOB CHIEFS IN ROE SLAYING

O'Connor Reports 'Some Leads' Found

Police yesterday conducted a perfunctory search for some of the bigwigs in the gambling syndicate as part of their investigation of the murder of Theodore Roe, 53, wealthy Negro policy game operator, who was killed by shotgun assassins Monday night near his apartment at 5239 Michigan av.

Among the men police have said they are seeking are Tony Accardo and Jack Guzik, top directors in the Capone gambling setup. They were sought because Roe operated his Idaho-Maine policy wheel in competition with the syndicate wheels in a business that grossed millions of dollars a year.

Defiance Reported

There were reports that demands had been made on Roe for money and that he had scoffed at the demands. His refusal, investigators said, probably was based on two considerations:

1. He knew he was marked for death even if he paid.
2. He was suffering from cancer, and apparently felt the time left for him to operate was limited.

While once rated as a millionaire, Roe probably had much less than a million dollars at the time of his death. The government had taken large chunks of his reserves in settlement of income taxes and the policy wheel competition had grown stiffer since the Capone mob got into this phase of gambling, once operated entirely by Negro interests.

"Some Leads" Develop

Police Commissioner O'Connor conferred for 30 minutes yesterday with Acting Detective Chief John T. O'Malley and Lt. John Golden of the Homicide squad and announced afterward that "some leads have developed in the case." He declined to discuss the "leads."

O'Connor was asked whether he intended to clean out the Wabash av. district in view of reports of widespread policy gambling in that area.

"No," he replied. "If there is anyone out there taking money to let gamblers operate, the matter should be laid before the grand jury. If anything like that comes to my attention, I'll send it to the state's attorney for action."

Youth slain in running row with another driver

CHICAGO, Oct. 20—(AP)—A 17-year-old shipping clerk was shot and fatally wounded Sunday night as he engaged in a running argument with another automobile driver after a near collision.

Police said companions of the victim, James Holmes, told them a Negro fired two shots at Holmes as they drove their cars side-by-side. One shot hit Holmes in the head.

Holmes' companions said he had turned and given chase after the two cars nearly collided. The other driver sped away after the shooting.

Passengers in the victim's car were his brother, George, 18; Edward Lugan, 17, and Peter Yasak, 19.

13c 1952

Illinois (Legal Punishment)

Harry Williams, Slayer Of Two, Dies In Chair

By GEORGE M. DANIELS

Harry Williams, 20, once described as one of the meanest thugs in Chicago, died in the Cook County electric chair a few minutes past midnight Thursday. Williams had two murder charges, five reported rapes and 3 robberies against him before he was old enough to vote.

A few hours before his death, he was visited in death row by his ailing mother, Mrs. Edna Williams, of Cleveland, and his sweetheart, Barbara Swader, 20, who is in the same jail on a robbery charge.

The tall, well-built youth claimed until the end that he was innocent of the purse snatching murder of Mrs. Mary Scott, 45, a Regal theatre cashier, April, 1950. He did, however, admit killing a jail guard, George Turley, 42, during a jail break last Aug. 14.

His death sentence was on the Scott murder. He was not tried for the guard slaying.

Before he went to his death, Williams, recently baptized a Roman Catholic, said, "I'm glad my time has come."

After the last rites were administered, Williams went to the chair quietly, and received the first shock of 1,900 volts at 12:05 a. m., and the second of 700 volts at 12:07 a. m. Th third shock of 300 volts was administered at 12:09 a. m., and he was pronounced dead two minutes later by four jail physicians.

Williams was originally sentenced to death last Sept. 12 for the Scott murder. He was arrested Dec. 12, 1950, in his home at 6919 Wabash ave., several hours after he had wounded two detectives in escaping from a police trap.

During his last days, Williams spent most of his time reading religious literature.

On Wednesday, he finished reading "Peace of Soul" by Bishop Fulton J. Sheen. Earlier, he had read, "The Confessions of of St. Augustine."

13c 1952

Kentucky (Legal Sentence)

Eddyville Set For Execution Of Quarles

Murderer Slated To Die Early This Morning

Eddyville, Ky., April 3 (AP)—Authorities at Eddyville State Penitentiary completed preparations for the execution tonight of Jesse Lee Quarles.

Quarles, 29-year-old Hopkinsville Negro, is scheduled to die in the electric chair shortly after midnight for the holdup-murder of Everett Grady, a Hopkinsville cabdriver.

Officials at Frankfort reported they had received no notice of a plea for clemency or of any legal move to stop the execution.

Grady was shot fatally in a holdup June 21, 1950, shortly after Quarles had returned from Army service.

Was Ruled Sane

Dr. W. E. Watson, State director of corrections in the Welfare Department, said Quarles was sent to Central State Hospital at Lakeland last November for observation. He was returned to Eddyville January 24 with a report that he had a "psychopathic personality," but was sane.

Dr. Watson described psychopathic personalities as those who have a conflict between their impulses and the restrictions of society and who do not profit by experience.

The Court of Appeals upheld the death penalty October 12 and on February 29 refused to reconsider the case.

LOUISIANA WHITE MAN JAILED WHEN STORY REGARDING DEATH OF NEGRO FAILS TO RING TRUE

Claims of Being Attacked by Ex-Convict and Difficulty That Followed Not Believed

SHOT GUN FOUND IN POND IN REAR OF HOME

CROWLEY, La. — (ANP) — A white man may face trial here for killing a Negro. This may happen because Jack Boudraux, 38-year-old white Acadia farmer, told some stories about the slaying of Linton Rogers, 39, Negro ex-convict that did not exactly jell.

Boudreaux first told the sheriff that he had killed an ex-convict who had held him prisoner at knife point while in his car. This tale he also related to the grand jury. Here is his story:

The Negro had hidden in the car while it was parked in Crowley two weeks ago. As Boudreaux was driving home alone, Rogers surprised him and with a knife and ordered him to drive to Baton Rouge.

On a pretext of stopping at a lonely farmhouse to borrow some gas from two elderly ladies who lived alone, Boudreaux drove up to his own home.

He then jumped from his car, hurled a couple of loose bricks which struck Rogers in the head, then shot the man in the leg with a shotgun which Mrs. Boudreaux brought from the house after hearing her husband's cries.

Offiiers found Rogers, an ex-convict from Beaumont, Tex., dead in the Boudreaux's yard, and a corner's jury ruled that the man died of brain injuries.

Later it was disclosed that Albert Johnson, a justice of the peace in the Branch community, told the sheriff that he had been with Boudreaux in Crowley when Rogers approached them and asked for a ride to Church Point some 20 miles north of here.

Told that they were going as far as Branch about eight miles south of Church Point, Rogers offered Boudreaux $5 to drive him all the way to Church Point and Boudreaux agreed, Johnson told the sheriff.

Johnson said Rogers got in the backseat and fell asleep. When they got to Branch, Johnson said he got out of the car, and as Bourdeaux drove off to Church Point he heard the farmer calling to Rogers to wake up.

At the coroner's inquest, according to Sheriff W. V. Larcade, Boudreaux, also an ex-convict, declared that he had driven to Crowley alone, but Johnson later told him he and Bourdeaux went to Crowley together, Larcade said.

The shotgun whose blast hit Rogers in the leg during the fight was fished up by deputies from a 10-foot pond at the rear of the home Larcade stated.

Boudreaux has refused to comment on Johnson story, the sheriff said, and a bond of $5,000 has been placed on him pending a grand jury investigation. Mrs. Mary Rogers, of Crowley, sister of the victim has signed a charge of manslaughter against Boudreaux the sheriff said.

TWO MARDI GRAS REVELERS KILL EACH OTHER IN RECENT FESTIVAL

Annual Festival This Year Featured By Many Accidents and Brawls; Dope Found In Possession of Two

ONE MAN'S BODY FOUND IN CLAIBORNE CANAL

By James B. LaFourche

NEW ORLEANS—(ANP)—Mardi Gras, a day that means everything to Orleanians was given a severe jolt here, Feb. 26, when an uninvited guest, Jack Frost, kept a lot of maskers off the streets and confined a lot of people indoors.

Those who dared into the streets belonged mostly to the old regime, whose greatest delight it is to make other people happy. Especially Mardi Gras visitors.

Old King Zulu still holds his own. His procession was not what it used to be, but it was worth going miles to see.

The African monarch, who in private life is William Boykins, chose for his queen the lovely Bernice Butler. The royal warrior and his tribesmen arrived at Eads Plaze, foot of Canal street, after an uneventful voyage aboard HMS, Timbuctu, a converted coal barge.

On disembarking from his man o' war, the king marched through hilarious crowds of merrymakers who had stood in line waiting for him since early morn.

Once aboard his royal carriage, drawn by four Missouri nightengales, the king in regal splendor swayed his sceptre continuously to the thousands of his subjects who braved the inclement weather to pay homage to his majesty.

But there was more to Mardi Gras than street maskers and the Zula King.

The western front was pushed further East as killings, shooting, and stabbings became the order of the day.

Putting on the fight of the day were Floyd Lee Powell, 26, and Julius Jackson, 49, who shot each other to death.

Police say that Powell's wife, Ethel Mae, 28, had returned to the house after quarelling with Powell and was seeking her clothes. Jackson it was said was with her.

The two men started an argument. Powell got his shotgun and Jackson drew a revolver. Jackson fired twice. Powell fired once. Both men fell dead.

Found dead in the Claiborne Canal was Richard Bolden Jr., 39, address unknown. The victim was found lying face up in the bed of the canal, his body showing no marks of violence. The coroner's office said that the man did not die in such shallow water.

More than 60 persons sought treatment at the Charity hospital for various kinds of accidents.

Napoleon Jelks, 28, was wounded in the right leg when an unidentified man began firing wildly in a barroom.

Two Negroes stopped for questioning by the police, were seen to kick a small package taken from a truck into the street.

Officers examined the package and opening it found three marihuana cigarettes.

They were identified as Ashton Fields, 28, and Joseph Brooks, 27. Both were charged with investigation for possession of narcotics.

FBI Investigating Louisiana Slaying

NEW ORLEANS—The Justice Department is investigating the Nov. 18 killing of John Lester Mitchell, Opelousas, La., according to a letter received by the New Orleans Branch NAACP last week.

Mitchell was one of three Negroes who brought suit against the registrar of voters in St. Landry Parish. He was shot and killed by Special Deputy Dave Lanclos, who said he was "unruly."

Farmer Guilty In Slaying of Beaumont Man

CROWLEY, La. — Jack Boudreaux, a 39-year-old white farmer of Branch Community, was found guilty of manslaughter here last week by a twelve-man Acadia Parish jury in the killing Feb. 9 of Linton Rogers, a Negro, of Beaumont, Tex.

The jury deliberated three hours before returning a 9 to 3 verdict of convention. Judge N. S. Hoffpauir will sentence Boudreaux at a later date. His attorneys immediately filed notice of appeal.

Boudreax, at the time of his arrest, told a fantastic story about the killing. Both, he and Rogers were ex-convicts.

NAACP Asks D. A. Probe Killing Of Lad In Jeff Par.

The New Orleans branch of the NAACP has asked District Attorney Frank Langridge of Jefferson Parish "to take action in bringing the guilty persons to justice in the unwarranted killing" of 10-year-old Charles Artis, Jr., 302 Warren Street, Kenner.

The request in the form of a letter was also mailed to Sheriff Frank Clancy.

The child was shot fatally two weeks ago and two white juveniles were held pending an investigation at the Gretna jail. However, it was further reported that the investigation by officers revealed that the shooting was "accidental."

Boy Is Shot Down Like An Unsuspecting Jack-Rabbit

2 White Boys Arrested And Denied Bail

KENNER, La.— As they frolicked in a clearing on the Mississippi River levee near their home, four boys were shot at like unsuspecting rabbits.

A ten-year-old Charles Artis Jr., was killed instantly when a bullet from a .22 caliber rifle fired by one of two white youths struck him in the back of his head. He is the son of Mrs. Marie Artis, 302 Warren street.

Deputy Sheriff Cyril DiLiberto said on Thursday that two fifteen-year-old white youths were denied bail pending the outcome of ballistics tests.

The two youths, acording to Jefferson Parish authorities, advanced firing rifles in the vicinity.

Charles' companions were Larry Taylor, 10, 1920 Baxter street; Elois Thomas, 10, 302 Warren street, and another smaller boy.

Interviewed separately the boys told identical stories.

"We were playing 'soldier' in a clearing near the levee," they said. "Charles was the 'sergeant', Larry was the 'lieutenant," and Elois was the 'captain."

"We were running around playing when we heard shots being fired and bullets began to hit around us. We saw two large white boys shooting at us from a clump of bushes.

The boys began running toward their homes, however, Larry and Charles stopped to look back, witnesses said. A bullet struck near them and they fell to the ground and began crawling on their stomachs. As they came to a log, Charles raised up to go across and was struck in the left side of the head by a bullet and was killed.

His companions tried to rouse him and failing to do so, became frightened and ran to their homes, the shooting having stopped. after Charles had been hit.

One of the panic-stricken boys hid himself under the house, the other in a bathroom. Their parents, noticing them acting peculiarly and refusing dinner, finally persuaded them to tell what happened. A group of neighbors went to the clearing and found the boy's body.

Mrs. Artis, stunned by the tragedy, asked the NAACP to seek justice in the case.

Friday, Arthur J. Chapital Sr., NAACP president, asked Jefferson Parish Sheriff Frank J. Clancy and District Attorney Frank H. Langridge to make a thorough investigation, arrest and prosecute the guilty persons. At pres time, however, parish officials had told a daily newspaper that the shooting "probably was accidental."

Slaying Story Fails Killer

Farmer, 38, Held In Dixie Shooting

CROWLEY, La. (ANP)—A white farmer's self defense' version of the slaying of a colored man who rode in his car took on a different light when a suprise witness added damaging details.

Jack Boudraux, 38-year-old white Arcadia farmer, is being held under 05000 bond and charged with the slaying of Linton Rogers, 39, a colored exconvict.

Crowley police officials took this action after Boudraux's account of the slaying was refuted by another white man, Albert Johnson, a justice of the peace. Johnson had seen both men shortly before the slaying.

Rogers had been found dead in Boudreaux's front yard. The white threatened at knife point by Rogers, and in self-defense had hurled bricks at the former convict's head, and afterward, blasting him with a shotgun.

The justice of peace, however, told Sheriff W. V. Larcado, that the dead man had asked Boudreaux to drive him to a nearby town for five dollars.

Agreed to Ride

The farmer agreed to do so, said Johnson, thus discrediting his story about having been accosted by Rogers on a lonely road.

Boudreaux is slated to face the grand jury on a manslaughter charge.

Ex-Convict Dies as Captive Hits Him in Head with Brick

Holds Farmer Prisoner During Ride at Knife Point

(Special to The Times-Picayune)

Crowley, La., Feb. 9—A 39-year-old ex-convict was killed Saturday in the yard of an Acadia parish farmer who told police the man at knife point had held him prisoner in his own car during a terrifying drive from Crowley 14 miles away.

The ex-convict, Linton Rogers, 39, Negro of Beaumont, Tex., died of severe head wounds, a coroner's jury ruled. Dr. H. L. Gardiner, acting Acadia coroner, said the farmer, Jack Boudreaux, 38, told him he hit Rogers in the head with two bricks and shot him in the leg during a fight which ended the ride that began in Crowley shortly after midnight.

Boudreaux told Acadia parish Sheriff W. V. Larcade that he had been in Crowley late Friday night and returned to his car which had been parked on the west side of town about 30 minutes.

As he slowed for a traffic light about six blocks away, Boudreaux said, Rogers, knife in hand, surprised him from the back seat where he had been hiding.

"We're going to Baton Rouge," Boudreaux said Rogers told him.

Boudreaux said he drove as far as Rayne, six miles east of Crowley, then told his captor that he would have to stop for gas. Rogers refused to let him stop at a filling station, Boudreaux said, so the farmer then told the Negro that he knew a place in the country where he could borrow some gas from two elderly ladies who lived there alone.

Rogers agreed to this plan and Boudreaux drove to his own home at Branch.

There, Boudreaux said, he got out of the left side of the car as Rogers got out from the right. Grabbing a loose brick from a walkway Boudreaux flung it at the Negro, hitting him in the head. Boudreaux said he yelled for his wife to bring his gun then flung another brick at the Negro, hitting him a second time. Seizing his gun he shot Rogers in the leg, Boudreaux said.

Police and the acting coroner found Rogers dead when they arrived after Boudreaux called them. Dr. Gardiner said Rogers' head had been crushed in three places and part of his ear was torn off.

Sheriff Larcade said he had arrested Rogers several years ago for police of Beaumont, Tex., where Rogers was wanted for the murder of his wife. The man later served 10 years in a Texas penitentiary for the wife's murder, Larcade said.

No charges had been filed against Boudreaux late Saturday.

NEGRO WHIPS WHITE YOUTH FATHER FLOGS

RUSTON, La. — (ANP)—What was just a minor incident between a Negro youth and a white youth almost resulted in death for the Negro. It might have easily been forgotten had both boys been white or both Negroes.

Leroy Calahan, 18, of Hodge, La., a little town located a few miles from Ruston, was the victim of a gun an strap beating administered by a white man and his son. Calahan and the son had a minor fight several days before and the colored boy won.

Dr. E. A. Johnson, president of the Louisiana Branch of the NAACP, issued a statement saying he will call upon the legal staff of the NAACP to determine whether or not the constitutional rights of the victim have been violated. He pledges to call upon the national office to do likewise.

Story Doesn't Jell

White Farmer Held On Bond In Slaying

Crowley, La. (ANP).—A white man may face trial here for killing a Negro. This may happen because Jack Boudraux, 38-year-old white Acadia farmer, told some stories about the slaying of Linton Rongers, 39, Negro ex-convict that did not exactly jell.

Boudreaux first told the sheriff that he had killed an ex-convict who had held him prisoner at knife point while in his car. This tale he also related to the grand jury. Here is his story:

The Negro had hidden in the car while it was parked in Crowley two weeks ago. As Boudreaux was driving home alone, Rogers surprised him and with a knife at him and ordered him to drive to Baton Rouge.

On a pretext of stopping at a lonely farmhouse to borrow some gas from two elderly ladies who lived alone, Boudreaux drove up to his own home.

He then jumped from his car, hurled a couple of loose bricks which struck Rogers in the head, then shot the man in the leg with a shotgun which Mrs. Boudreaux brought from the house after hearing her husband's cries.

Officers found Rogers, an ex-convict from Beaumont, Tex., dead in the Boudreaux's yard, and a coroner's jury ruled that the man died of brain injuries.

Later it was disclosed that Albert Johnson, a justice of the peace in the Branch community, told the sheriff that he had been with Boundreaux in Crowley when Rogers approached them and asked for a ride to Church Point some 20 miles north of here.

Told that they were going as far as Branch about eight miles south of Church Point, Rogers offered Boudreaux $5 to drive him all the way to Church Point and Boudreaux agreed, Johnson told the sheriff.

Johnson said Rogers got in the back seat and fell asleep. When they got to Branch, Johnson said he got out of the car, and as Boudreaux drove off to Church Point, he heard the farmer calling to Rogers to wake up.

At the coroner's inquest, according to Sheriff W. V. Larcade, Boudreaux, also an ex-convict, declared that he had driven to Crowley alone, but Johnson later told him he and Boudreaux went to Crowley together, Larcade said.

The shotgun whose blast hit Rogers in the leg during the fight was fished up by deputies from a 10-foot pond at the rear of the home, Larcade stated.

Boudreaux has refused to comment on Johnson's story, the sheriff said, and a bond of $5,000 has been placed on him pending a grand jury investigation. Mrs. Mary Rogers, of Crowley, sister of the victim, has signed a charge of manslaughter against Boudreaux, the sheriff said.

GOVERNOR McKELDIN COMMUTES DEATH SENTENCE:

Edwards Removed From Death Row After 3 Years

Afro-American, Balto. 4-5-52 p. 17

BALTIMORE

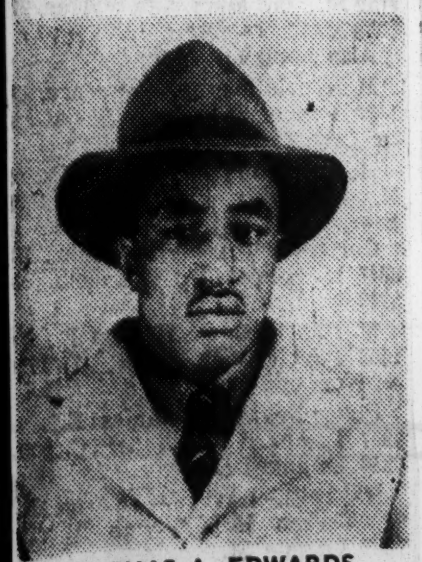
Twice convicted of a Glen Burnie dual murder and sentenced to hang, Thomas A. Edwards left the Maryland penitentiary death row this week after nearly three years in the shadows of the gallows as Governor Theodore R. McKeldin commuted his sentence to life imprisonment.

He was orginally sentenced to hang in February, 1949, for the slaying of John A. Mahlan, 25, and Mary Kline, 18, a white couple whose bodies were found at an isolated spot in Anne Arundel county in September, 1948.

5 Judges; 2 Trials

The case was heard before five judges, went to trial twice and was twice taken to the Court of Appeals. Edwards was doomed to die each time.

In commuting the sentence Governor McKeldin said that he



THOMAS A. EDWARDS

had taken the action in view of the circumstantial evidence on which Edwards was convicted.

Confession Thrown Out

Never in the history of Maryland crime has there been more doubt created as to the guilt or innocence of an accused criminal.

Edwards, a 26-year-old gardner at the time of the crime, is alleged to have signed a confession that he was forced to jump into a ditch by Mahlan's car while walking on the Old Annapolis Road.

In the alleged confession, later thrown out by the Court of Appeals, Edwards reportedly said he followed the car until it parked, sought to talk to the driver then shot through a raised window, killing the girl afterward when she sought to flee.

The Court of Appeals threw out the confession on the grounds that Edwards had been induced to sign it after being shown a letter in the Maryland penitentiary advising all criminals to co-operate with the police.

Edwards's second trial again resulted in a guilty verdict and he heard a second death sentence in December, 1950.

The Court of Appeals upheld the conviction in June, 1951, and turned down a request for a rehearing in October.

Governor's Statement

Governor McKeldin's statement in commuting the death sentence to life imprisonment follows:

"Thomas A. Edwards, convicted of the murder of a young man and a young woman on a country road in Anne Arundel county, has applied for commutation of the sentence of death.

"The crime was one of unusual atrocity. The subsequent investigation and the circumstances of the arrest furnished added drama. The vigor, devotion and resourcefulness of his court - appointed counsel through two trials, two motions for new trials addressed to the whole Supreme Bench of Baltimore city and two appeals to the Court of Appeals, climaxed by a motion for reargument in that court, have kept the case fresh in the public mind.

"The first conviction by three judges of the Supreme Bench of Baltimore city, to whose jurisdiction the case had been removed from Anne Arundel county, was reversed on appeal because it rested, in part, on a confession which the Court of Appeals later held should not have been admitted in evidence. The second conviction, by two other judges of the Supreme Bench, was predicated on substantially the same evidence as the first, except that the confession was not again offered, but the State introduced additional testimony of witnesses who claimed to have overheard certain statements of the accused while in jail after his first conviction. This additional testimony, if accepted as true and accurate, strongly corroborates the State's case.

No Eyewitnesses

"The conviction is based on circumstantial evidence, which means only that, as is often the case, no eyewitness testified to the crime. It does not discredit a judgment of conviction to say that it is based on circumstantial evidence, for such evidence may be and often is more reliable and convincing than direct testimony which may be false or mistaken. Daily in the courts of this State and everywhere there are convictions based on circumstantial evidence.

"When the evidence is circumstantial there is an obligation on the jury, or as here on the judges sitting as a jury, to scrutinize the evidence closely to satisfy themselves that it is trustworthy and consistent only with guilt, just as the tryers of fact must weigh and judge the credibility and motives of eyewitnesses.

"The truth and significance of almost every shred of evidence in this case has been hotly contested through a record and briefs of more than 1,000 printed pages. If I do not prolong this statement by minute discussion it is not because I have not carefully considered the testimony in detail, but only because there is nothing to be gained by such extended discussion.

"Of course, I would not want to have on my conscience the putting to death of any man whose guilt is in doubt; nor would I wish to commute a sentence if it is fully deserved and just, considering the character of the crime and other pertinent considerations. Therefore, I have conscientiously sought to master the facts and have made extensive independent inquiries.

Opinions Differ

"There are many who are deeply convinced of the defendant's guilt, and others are no less sure of his inocence. Some disinterested persons who have studied the case closely are haunted by persistent doubts. Even among the judges of the Supreme Bench who considered the case, there is no unanimity. Neither the majority nor the dissenting judges wrote opinions, but we know that of the eight judges who heard the motion for a new trial after the second conviction, six signed the order overruling the motion and two declined to sign.

"Of the six who signed, three are the judges who had previously convicted Edwards on the basis of the confession which the Court of Appeals later ruled out. I do not intimate even remotely that there was any impropriety in these three judges participating in the hearing on the second motion for a new trial; but as they had already formed and expressed an opinion of Edwards's guilt it is the suggestion of his lawyers that these three judges may have been unconsciously influenced by this fact and by the excluded confessions.

"Accordingly, apart from these three judges we have three who voted against a new trial and two who refused to sign the order over ruling the motion for a new trial.

"I feel that I should say something about the action of the Court of Appeals in this case, and particularly about the forceful criticism of its opinion by Edwards's counsel, one of whom, Mr. William J. McWilliams, is himself a former judge.

"In affirming the second conviction the Court of Appeals declared that it was compelled to affirm the lower court because its judgment was 'not clearly erroneous,' the duty of judging the conflict of facts being one for the lower court. Defense counsel argued that the appellate court should have made an independent review of the facts, and they called the court's failure to do so an act of 'appellate abdication.'

"After considering the brief of the defense and the court's closely reasoned reply in denying the motion for reargument, I am satisfied that as the law stands the court does not merit the criticism.

"Under the circumstances, however, it cannot be said that the judges of the Court of Appeals are conviced of Edwards's guilt; just as it cannot be said that they are not convinced of it. In the discharge of their particular duty they only found as a matter of law that the evidence, if believed, was sufficient to support the finding of guilt by the lower court, not that the evidence should have been believed or that it was believed by the higher court.

Ruling Not Helpful

"The ruling of the Court of Appeals, the correctness of which I do not question and would not presume to question, cannot, therefore, be helpful to me in the broader consideration which I am obliged to give this case. It would have made my task easier if I could have had the benefit of their judgment upon the defendant's guilt or innocence and not merely of the legality and fairness of the procedure by which he was convicted.

"The question I am called upon to answer is not the same as that which was before the Court of Appeals. That tribunal's consideration was under the law limited to the narrow point above stated, namely, whether there was enough evidence which, if believed, would legally support conviction.

"My duty is to decide whether, all things considered, it is in the public interest to allow the sentence of death to be executed.

Life Imprisonment

"Considering the entire case in its many ramifications, and having regard for the opinion of disinterested persons who entertain sincere doubt as to the guilt of Edwards, and bearing in mind the division among the judges of the Supreme Bench, I have, after mature deliberation, concluded that the sentence in this case should be life imprisonment rather than the forfeiture of life."

Edwards Case Cost $8,000

Expenses Could Reach $129,000

BALTIMORE

The prosecution of Thomas Edwards in the famous Glen Burnie double murder case, already has cost Maryland taxpayers over $8,000, and may cost them $129,000 more.

This is despite the fact that the guilt of Edwards still is doubted by hundreds of Marylanders. The man has been sentenced to life imprisonment after a three - year fight to save him from conviction and the gallows.

No Court Costs Counted

Expenses of defense counsel, transcripts of testimony, and briefs in the case already amount to $8,274. This does not include high court costs over the three-year period.

It costs $3,000 a year to maintain a prisoner in the penitentiary. Assuming that Edwards at 27 should live a normal life span of 43 more years, his expenses while serving a life sentence would amount to $129,000.

$2,500 To Counsel

Of the $8,274 amount, $2,500 was awarded to William J. McWilliams and Ridgely Melvin, attorneys, who defended the accused man on their theory that he is innocent, and the victim of a frame-up.

A total of $5,196.70 was paid to a printing firm for the printing of transcripts, briefs and other papers used in the appeals of the case; and $57.50 represents Edwards's board while he was confined in jail.

These expenses must be borne by the taxpayers of Anne Arundel County where the crime occurred.

Trials In Baltimore

Trial of the Edwards case was shifted to Baltimore because of the tension in the county after his arrest in the slayings of John Mahlan and his sweetheart, Mary Kline.

There were two trials, two convictions, and two trips to the Court of Appeals. Each time, Edwards was sentenced to the gallows.

Governor McKeldin commuted his sentence to life imprisonment several weeks ago, citing the extreme doubt that still remains in the case.

Confession Knocked Out

The Court of Appeals ordered a second trial for Edwards by striking out of the evidence a "confession" which was obtained by inducement.

The second trial was marked by circumstantial evidence. This consisted of a cartridge case, found where the bodies were discovered, and linked to Edwards' gun; and an alleged death house statement in which he was quoted as having boasted "I outsmarted those hick cops."

Defense counsel argued that the cartridge case was planted. It was found nine days after the bodies had been removed, and after people from all over the county had trampled the area.

Statement "Stupid"

The death house statement, they added, was "stupid," for why would Edwards boast of outwitting the police when he was under sentence of death?

Despite these arguments, a second conviction was won by the State, and the Court of Appeals refused to order a third trial.

FOUR MINORS HELD IN SHOOTING:

Reports Of Racial Tension In LaPlata, Md., Denied

LA PLATA, Md. — Despite reports of racial tension in the LaPlata area AFRO representatives found no visible signs of such tension there on Thursday.

The community was somewhat aroused last Friday night when four colored youths were arrested on charges of shooting an elderly white couple; and police spirited the boys away to a place of concealment to avoid any trouble, but there have been no disturbances, State's Attorney Robert T. Barbour declared.

Mother Quite Upset

"It hurts me so bad, I don't know what to do. It really worries me. I never had any trouble with my children before. But I want to do anything I can to help them."

That was how Mrs. Pearl Wills, 34, expressed to the AFRO, last Thursday, her bewildered concern over what has happened to her two sons, Robert Campbell, 15, and Clarence Wills, 13.

With their cousins, William Wills, 16, and Calvin Wills, 13, they were in police custody after the shooting of the elderly white couple, Mr. and Mrs. Theodore W. Boswell, near here on Dec. 12.

"Confession" Aired

According to State's Attorney Barbour, the two older boys have confessed shooting the couple with a stolen shotgun.

On the contrary to reports of friction, Mrs. Willis told an AFRO reporter how Mr. Boswell's son had come to the dry - cleaning shop where she works as a presser. She said:

"He said he was awful sorry that it happened and that he knew that boys my sons' age should have a man to supervise them. (My husband left us seven years ago, after the war.

While Man Apologizes

"Then Mr. Boswell's son told me that he did tell my son in the car that night that if he were out, he would kill him. He said he was sorry he had said that and it was only because he was upset.

"He apologized and then he broke down and cried."

An acquaintance of the Boswells said that Mrs. Boswell had been more seriously wounded than her husband and may be crippled as a result of the shooting last Friday.

Mob Reports Denied

Meanwhile, Mr. Barbour told the AFRO that Judge J. Dudley Diggs is waiving Juvenile Court jurisdiction in the case and that the four young defendants will be arraigned before magistrate as if they were adults. He was not certain when the arraignment would be.

Mr. Barbour also denied reports that angry mobs had gathered on La Plata street corners and muttered threats against the four boys last Friday night.

"And individual here and there may have said something," he said, "but there were no angry mobs on street - corners and we removed the boys strictly as a precautionary measure and not because there was any evidence of real danger."

'I Just Don't Know'

Mrs. Wills, when asked if she thought her sons were innocent of the shooting, answered:

"I just don't know what to think. All I know is what I heard and what the sheriff told me. Billy's father told me that Billy Bobby (Robert Campbell) said he shot the woman and the man, but I just don't know. I haven't seen my boys since the night it happened."

Billy is William Wills, brother of Calvin Wills. They are the sons of Mr. and Mrs. William Wills tenant farmers, who live in the country not far from Mrs. Wills, their aunt, and her children.

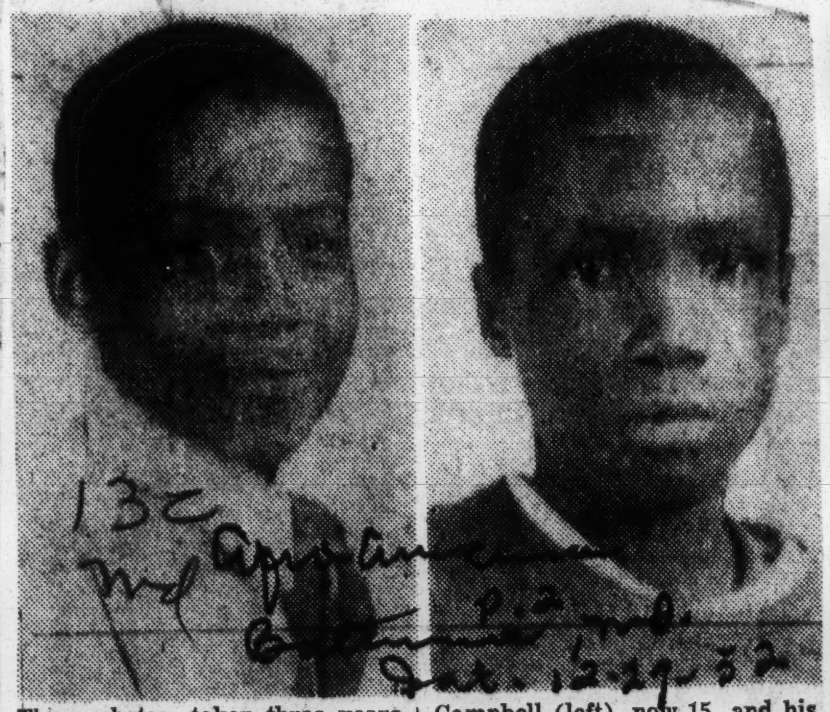
Stolen Car Incident

Mrs. Wills said that her younger son, Clarence, had admitted stealing an automobile in LaPlata about a month ago. He spent three weeks at Boys Village and then was placed on probation.

"He wasn't supposed to go into La Plata," she said. "After school was over, everyday, he was supposed to get off the bus and come straight home.

"But that night he wasn't at home and I didn't know where he was. I knew where my older boy was, because I had sent him in to La Plata to see his grand-

Held In La Plata Shooting



These photos, taken three years ago, show two of the teen-age boys held in the shooting of a white couple in La Plata, Md., on Dec. 12. They are Robert Campbell (left), now 15, and his brother, Clarence Wills, now 13, sons of Mrs. Pearl Wills. Also held in the shooting are their cousins, William Wills, 16, and Calvin Wills, 13.



Mrs. Pearl Willis, mother of two of the four teen-age boys held in the shooting of a white couple near La Plata, Md., manages a smile for the AFRO photographer. "I want to do everything I can to help my boys," she said. She is shown in the three-room frame house occupied by her family for which she is the sole support since her husband left, seven years ago. Note the flat-irons on the oilstove and the kerosene lamp against the wall. The house has neither gas, electricity, nor inside plumbing.

mother.

"I was sitting in the kitchen, drinking a cup of tea, when I heard sounds like a car backfiring. A little while afterwards, Clarence came in and said he had been at his uncle's house.

Sheriff Came For Boy

"After that, Bobby came in. He said there was some trouble up at the store — it's not far from our house — and he got scared and came home.

"Then, a little later, the sheriff came and said the Boswells had seen Clarence at the store. Clarence said he had been there, but he didn't know anything about the shooting."

According to La Plata police, the Bowswells said that Clarence and Calvin had entered the Boswell store, asking for some cheese. Something in their manner aroused the suspicion of Mrs. Boswell, who called her husband from another room.

Other Boy Sought

Meanwhile, the two older boys, according to police, were at the rear of the store, watching through a glass window in the door. As Mr. Boswell passed the door, he was felled with a shotgun blast.

Another shotgun blast hit Mrs. Boswell in the back as she ran for the telephone. The culprits then ran away and Mr. Boswell dragged himself to the phone and summoned a doctor who called police.

Mr. Barbour said that the Boswells also recognized Calvin Wills and the sheriff went to his home to search for him. The boy's father, Mr. Barbour said, stated that Calvin was attending a basketball game that night at Bel Alton school, but when the two men went there looking for him he could not be found.

Had 4 Stolen Shotguns

Mr. Wills then promised to bring Calvin to the sheriff when he returned home. He did so, Mr. Barbour said, and, and after further questioning of Clarence and Calvin, the two older boys were taken into custody and admitted the shooting.

Mr. Barbour said that each of the four boys had been armed with a stolen shotgun, but the younger boys had left their weapons outside when they went into the store.

Mrs. Wills told the AFRO she had had a difficult time caring for her family after her husband left the home. She has a third son, James, II.

Earns $30 A Week

The family's only income, she said, is the $30 she makes each week as a presser at a dry-cleaning establishment in La Plata. She has worked there for the past two years, having previously done day's work.

A three-room frame house, for which she pays $5 a week rent, serves as home for her family. It has neither gas nor electricity and she uses oil-stoves for cooking and heating. Beyond a field, across the road, is a spring from which the family gets its water supply.

Mrs. Wills said that except for the auto-stealing incident in which Clarence was involved, none of her children had ever been in trouble.

Robert, she said, stopped school in order to help support the family, but he could not hold the jobs he got.

"No," she said in answer to a question, "The boys didn't belong to any Boy Scout troop. I don't think there is any, around here.

"We used to try to go to the Episcopal Church. But sometimes we just didn't have the clothes to go in."

'Evil John' Faces Trial

Transfer To Mental Hospital Stirs Ado

BALTIMORE

John Thomas (Evil John) Hill, 49-year-old ax-slayer; knife wielder, and leader of a six-man murder gang, is back in the limelight.

"Big John," scheduled to go on trial this week for the murder of a 70-year-old storekeeper on March 19, 1950, in Queen Annes county, will be brought to court from the Crownsville State Mental Hospital near Annapolis, under heavy guard.

Transfer Creates Tension

He was transferred there last week from the jail at Bel Air. This created an atmosphere of concern in and around the hospital area and Bel Air since more than 40 mental patients have escaped from there this year.

He is incarcerated in a cell block which has an extra barred door, with a guard stationed on duty just outside, around the clock, to prevent any efforts to escape.

Most Wanted Criminal

"Big John" was once one of the FBI's five most wanted criminals, and was conceded to be "ferocious, eil, and extremely dangerous."

He has been in custody since August, when the police nabbed him in a suburb of Detroit, where he had opened a cigar store.

Last Of Six-Man Gang

Hill was the last of the quintet to be rounded up.

In the interim, between the slaying of the merchant, Winchester Smith, and his capture, Hill had returned to his estranged wife's home in Portsmouth, Va., and slashed her five times, inflicting wounds in her breast and head.

13c 1952 Michigan

Patricia Stevenson, Victim Of Texas Madman, Dies In Detroit

DETROIT — Patricia Jean Stevenson, the pretty 19-year-old survivor of an April kidnap-murder tragedy here, died last week in Receiving hospital where she failed to rally following her third delicate brain operation.

Struggling valiantly to recover, Miss Stevenson was shot through the head, the bullet entering her brain. She had survived three critical operations from which the doctor gave no assuracne that she would recover.

Miss Stevenson was shot last April by James D. Foster, after he had kidnapped her at gunpoint, and her 19-year-old fiance, Calvin Williams, also of this city. Williams was slain by Foster on a lonely Huron Township highway.

Shooting Miss Stevenson, Foster left them to die in a roadside ditch and drove to Toledo in Williams' 1950 Coupe DeVille Cadillac.

Police cornered Foster several days later in Texas City, Texas, where he committed suicide at the home of his in-laws by shooting himself.

Two weeks ago Miss Stevenson's story was televised over the national "Strike It Rich" show when singer, Marilyn Ross acted as proxy for Miss Stevenson in New York, winning $440 to help defray hospital costs.

Police Hold Garage Owner While Probing Shooting Here Of Simpson Negro

A Jackson garage owner was being held in city jail while police investigate the shooting Wednesday afternoon of an 18-year-old Simpson county Negro farm boy.

The injured Negro, Walter Lee Powell, Jr., of Rockport, is in critical condition at Baptist hospital, suffering from wounds in the lower body.

Held for investigation is Brock C. Conerly, 45, owner of Conerly's Garage at 946 South State street.

Two of Powell's companions said the shooting was unprovoked. Conerly told police that he suspected the Negroes of trespassing.

The incident occurred at 3 p. m. Wednesday in the rear of Conerly's garage.

Chief of Detectives M. B. Pierce said Powell, his father, his younger brother, and another Negro, I. C. Bush, all came to Jackson Wednesday to buy a used truck from the earnings of their 1952 cotton crop, and to take Powell's younger brother to the crippled children's clinic at Baptist hospital.

The elder Powell and Bush told police that they wandered into the rear of Conerly's garage with the injured Negro to look at some trucks lying behind the shop. While they were standing there, they said, Conerly came out of the rear of the garage with a pistol in his hand.

The Negroes said Conerly said, "Catch a rabbit!" Then, they told police, they all three ran.

Powell ran two blocks north on South State street, losing blood. He finally collapsed and bystanders called an ambulance which took him to Baptist hospital.

WHITE MAN CHARGED WITH MURDER IN BRUTAL KILLING OF COMLY YOUNG NEGRO GIRL

Community Alive With Talk Of "Strange Fruit" Cases Following Sensational Slaying

CANTON, Miss., Dec. 20 (DSN)—The brutal slaying here of a comly young Negro girl just turning into budding womanhood is being pointed out by Negroes as well as whites here as another tragic case of "strange fruit" in a town where many strange fruit cases are reported as now existing and where many such cases have been going on through the years.

The victim of the brutal slaying which took place a week ago last Saturday night is 16-year-old Edna Ruth Moore, who according to reports had already earned the reputation of being engaged in the "strange fruit" case which lead to her death.

Her body was found early Sunday morning near Boyd's store on the Canton Road operated by Cecil Jones, a white man with whom, according to reports, she was carrying on a "strange fruit" affair. She had been shot and clubbed and beaten to death.

The white man was arrested by Madison County Sheriff Alfred W. Hardy and charged with murder in connection with the claying.

A hearing in the case was set for Tuesday of this week before Justice of Peace, J. Paul Arbuthnot.

The incident created a sensation in the entire community although Negro residents talked in whispers when talking on the subject.

While no statement has been reported as coming from the white man, the Negro community is alive with different kinds of stories regarding what lead the white man to kill his comly young Negro girl friend.

According to one report, Jones who had become increasingly bold in his relationship with the young Negro girl, which some point out as a common practice in such cases here was caught in a most revealing circumstance with her Saturday night by someone near to him and who might thus become inclined to give him some future trouble because of the relationship.

According to another report Jones became enraged and madly jealous when he found that the girl had a Negro boy friend who was spending a considerable portion of the money she got from him and quarrelled with her and killed her when she asked for more money Saturday night.

Funeral service was held for the victim here Sunday.

White Man Faces Hearing in Slaying Of Negro Girl, 16

CANTON, Miss. (UP) — A white rural store operator has been jailed in the slaying of a 16-year-old Negro girl near here, Madison County Sheriff Alfred W. Hardy reported today.

Hardy said a preliminary hearing for Cecil Jones has been set here next Tuesday at 2 p. m. in the death of Edna Ruth Moore, whose body was found near Jones' store.

The girl was clubbed over the head and shot, apparently Saturday night, Hardy said.

Slain In Gunfight With Dixie Policemen

By JAMES RUNDLES

LAUREL, Miss. — Theodore Dukes, 40-year-old dishwasher, was killed and a policeman wounded in a gun fight here last week between Dukes and a pair of officers.

Wanted for questioning in the mysterious death of his two-year-old son, Harold, Dukes surrendered meekly to Policeman George Ellzey and a fellow officer in a Laurel ice cream parlor. On the street, however, police said Dukes whipped out a revolver and started shooting.

The officers returned the fire and Dukes fell dead. Policeman Ellzey was struck in the spine.

Little Harold became ill suddenly late last Sunday and was rushed to a local hospital. He was dead 12 hours later. Dr. T. J. Barnes, who treated the child prior to his death, said Dukes had asked his advice about filling out a death claim three hours before his son died.

He said a stepson of Dukes had died under similar circumstances two months ago. Investigation showed that Dukes had insured little Harold for $1,000 and had collected $500 from a policy on his eight-year-old stepson.

New Move To Link Negro To Delta Woman Slaying

Asylum Inmate Declared Sane

Jackson, Miss., April 19—(DSN)—A new move to link a Negro to the slaying of Mrs. Idella Long Thompson, prominent Delta white woman of Leland, Miss., was seen in the case of Arthur Jones, 24 year old Negro man, and inmate of the state insane asylum, who was declared sane last week.

The young Negro who was arrested in Clarksdale in February is reported to have confessed to the slaying of Mrs. Thompson and several other prominent white women of the state.

Set April 4 As Execution Date Of Humphreys Negro

The state supreme court Monday set April 4 as the execution date of a Humphreys county Negro convicted of mudering a white man after a drinking bout.

The court, handing down its second decision on the case, upheld a Circuit court decision that Charlie Holmes shot and robbed L. B. Traweek.

The first conviction was reversed by the high court and sent back for re-trail because of error in the admission of a confession which Holmes made to Hinds county officers in Jackson following the shooting.

Holmes had contended that he confessed under extortion by use of an "iron horse." But in the second trial the high court found that it was shown by witnesses that there were no threats, promises, force, intimidation or coercion of any kind, that no iron horse existed and that the confession was free and voluntary.

The shooting followed a drinking party at a night spot where Holmes took a quartet of four men on the promise that he could get them a private room.

There were no witnesses to the shooting. Traweek and Holmes left the other men asleep in the car and Traweek was found shot in the head. Holmes was found carrying Traweek's pistol and money the morning after the shooting.

"Under the evidence," the court ruled, "The confession was properly admitted and all of the evidence clearly warranted the jury in finding him guilty of murder, with robbery the motive."

The court also upheld the conviction of W. C. McNally of Grenada county on charges of attempting to kill his nine year old niece by beating her with a cowhide belt, pulling her hair out by the roots, burning her leg with a cigarette lighter, holding her feet and striking her head against the floor and wall and by mashing and stomping her head with his feet.

The girl lived. McNally was sentenced to three years.

Fix Life Terms For Negro Slayers Of Hinds Widow

RAYMOND — (Special) — Two Negroes who pleaded guilty to the bludgeon murder of Mrs. Annie Dennis Powell, elderly white widow, near here last June, were sentenced to life terms in the penitentiary by Judge M. M. McGowan Wednesday.

Frank Moses and Eddie Lee Crosby admitted slaying Mrs. Powell in a robbery attempt.

The Negroes surprised the elderly woman while she was alone at the house taking a bath. Her nude body was found at the back steps of her home by another Negro tennant who had come to the home after he heard her cry for help.

Moses was arrested the night of the slaying, and Crosby later voluntarily surrendered and admitted that he was at the home with Moses.

Mrs. Powell's country home is located between Raymond and Edwards.

The Negroes were taken from Hinds county jail in Jackson Wednesday by Sheriff Carroll Robinson to Raymond to enter their pleas. The Negroes had been indicted last September for the crime.

Negro Electrocuted For 1949 Slaying Of Copiah Man

BELZONI (Special) — Charlie "V-8" Holmes, 38-year-old Humphreys county Negro from whom a last minute plea for clemency was denied this week by Governor Hugh White, died in the state's portable electric chair here for the November, 1949 slaying of B. B. Traweek, white Copiah county telephone company lineman.

The Negro was pronounced dead minutes after the current was turned on. The electrocution was the first ever held in Humphreys county.

Only a few witnesses were present. These included Sheriff I. J. Shelton, Deputy Tharp, three physicians, the condemned man's parents, pastor and several relatives.

Holmes walked to the chair calmly after making a last minute statement that he was prepared to meet God.

His body was claimed by his family and burial will be here.



Several youths climb pillars at the entrance of the courthouse at Mendenhall to see the execution of Jim Brent Durr through a transom window. More than 500 persons waited outside while 50 saw the electrocution of the slayer of a Simpson county constable inside.



Simpson county Sheriff Garrett Mullins (left) and Special Deputy David Brunt lead Jim Brent Durr to a waiting car in Jackson to take him to Mendenhall for execution Thursday night for the murder of Constable Bernice Herrington. Standing behind them is Highway Patrolman Mars Willis. (Staff photos by W. C. Shoemaker).

All Was Quiet In Simpson As Negro Pays With Life

By RALPH HUTTO

MENDENHALL, Miss. (Special)—On the surface, it was a light-hearted group who clustered around the state's portable electric chair set up just off the main lobby of the courthouse for the electrocution of Jim Brent Durr. Nobody was talking much about the condemned man, and occasional ripples of laughter gave more the impression of a court house election party than an execution.

But beneath the outward gaiety signs of the strain were evident. One man threw away a slightly smoked cigarette; another paced the floor.

The crowd outside was silent and orderly. Mostly it seemed to be just curious, and those who could pressed themselves against windows and transoms in an effort to see the execution.

When Durr walked down the hall to the electric chair from the sheriff's office, it was with the same coolness and detachment he had shown since leaving Hinds county jail. He was dressed in green dungarees with the sleeves cut away for the electrodes. He was handcuffed hand and foot.

Officers said he dozed on the way from Jackson and spoke briefly of his family.

As he was being strapped into the chair he watched the operation calmly and carefully, showing no emotion on his face. His hands on the arms of the chair lay there motionless. The headpiece was placed on his head and officers stepped near to hear his last word. His voice was sad, but steady.

"I wish I could have seen my folks," he said. Then the mask was placed over his head.

Dickins Murder Case May Be Re-Opened, Negro Who Confessed Is Found Sane

A startling development which probably will re-open Mississippi's sensational Dickins murder case was disclosed here today by Dr. W. L. Jaquith, director of the state mental hospital.

Jaquith announced that hospital doctors have found Arthur Jones, 24-year-old Marked Tree, Ark., Negro to be sane. Jones was committed to the institution last February after confession the Nov. 17, 1948 murder of Mrs. Idella Long Thompson of Leland. But few believed him.

Mrs. Ruth Dickins, socialite daughter of the murdered woman, is serving a life term at Parchman penitentiary for the crime. She has pleaded innocence since convicted and has exhausted every legal appeal in seeking her freedom. The State Board of Pardons and Paroles refused for a pardon earlier this year.

Mrs. Thompson was slain with a pair of garden shears at her Delta home. Mrs. Dickins, the only witness, stoutly maintained she surprised a Negro man in the murder act.

Jones was arrested on a murder charge in Clarksdale and confessed the murder, under questioning, to Sheriff Brake Gotcher.

Mrs. Dickins' husband is expected to file a motion for a new trial on the strength of doctors' statements that the Negro is sane.

Korean War Vet Beaten by Negro On Lonely Road

LOUISVILLE, Miss. (Special) — State and county officers, aided by bloodhounds from the state penitentiary at Parchman, Tuesday combed the rugged area around Louisville for an unidentified Negro wanted for the attack late Monday night upon a 24-year-old Korean war veteran and his young date as they sat parked in a car near a lonely Negro church.

The manhunt was headed by Sheriff Charlie Peterson, assisted by county officers and a number of State Highway patrolmen. District Attorney John Aldridge of Winona arrived here about noon to join the hunt.

Sheriff Peterson said the Negro yanked the soldier, Grover Sullivan, home on furlough from Camp Rucker, Ala., from his car, beat him mercilessly and ran over his body with the soldier's automobile. The girl fled during the fight, the sheriff said, and found refuge at the home of white people living nearby. She was unharmed, he said.

The attack took place about 10 p. m. near the Mt. Sinia Negro church on the DeKalb road six miles southeast of Louisville, the sheriff reported, and residents of the area, rushing to the scene, found the soldier conscious but seriously hurt. He was rushed here and then carried to the Veterans Administration hospital at Jackson in a Francis Funeral Home ambulance.

No accurate description of the Negro was available, Sheriff Peterson said.

The bloodhounds, under the direction of Marvin Faulkner, Parchman trusty, arrived here at 2:30 a. m. and were taken to the scene of the attack where they picked up the scent of the Negro and trailed him to the Gulf, Mobile and Ohio railroad station here, reaching the depot about 4:20 a. m. Persons at the railroad station reported, however, that no Negro man had boarded either of the Rebels, which met here about 2 a. m., and that no freights had passed through during the night.

Taken back to the scene of the beating, the bloodhounds doubled back over the same route, once again lo sing the trail at the depot.

Sheriff Peterson said the Negro had taken a billfold belonging to the war veteran containing $70. Sullivan suffered a dislocated hip and severe cuts on the face, neck and body.

The girl, identified as Peggy Jo Wilson, daughter of DeWitt Wilson, an employe of the D. L. Fair Lumber Co. here, told officers she heard Sullivan screaming after she fled the scene.

The girl ran to the home of Mr. and Mrs. R. A. Upchurch, who live about a quarter of a mile from the Negro church. Mrs. Upchurch, who is a correspondent for that area for the Winston County Journal, said that the girl was hysterical and that her pounding on the door awakened them.

She said the girl told them: "I'm in trouble. You've got to help." Mr. Upchurch and several neighbors then went to the scene where they found Sullivan, son of William Sullivan, a farmer of the Ellison Ridge community.

Sheriff Peterson said the search for the Negro was being conducted mainly by road patrols over the area southeast of here. Reports that the Negro had ordered the couple to leave the grounds of the church before the attack were not verified.

Sheriff Peterson said that though the hunt for the Negro was difficult, "we haven't exhausted all leads."

The following State Highway patrolmen and Deputy Henry Bowie led the searching party: Bill Hood and Wayne Miley of Louisville, Charles Staten of Macon and John Beall and Maynard King of Philadelphia.

White Man Killer Of Negro Seeks Bail At City Hearing

A preliminary heraing for a Rankin county truck line owner charged with the murder of a Jackson Negro here Monday morning, was scheduled to be held in city court at 4 p. m. Wednesday.

Sidney T. White, 29, owner of White Haulers, Highway 80 East, is being held in city jail for the fatal shooting of Robert I. Ray, 27, of 853 Bloom street.

White will attempt to seek his freedom on bail pending the next grand jury which is in November. The current grand jury adjourned today without taking action on the case, explaining the circuit court docket was already crowded with other matters.

White, in a signed statement to police, admitted the shooting, saying he fired a single blast at the man as he stepped from a taxicab on North West street about 2 a. m. Monday.

Willie Lewis, operator of the cab in which Ray was riding, told police he was hauling Ray and two women passengers from a Negro night club on Highway 49 north to their homes in the city, when a car pulled to his right side and started flashing his headlights.

Lewis said he stopped, thinking it was police.

Ray stepped from the cab and was killed instantly from a blast from a .45 calibre revolver.

Officers said White did not get out of his car to shoot the Negro.

In his statement at police headquarters, he admitted the shooting, but told officers he shouted for the Negro to stop before he fired the shot. White gave no other reason for the killing.

Police said after the shooting White turned his gun on the other occupants of the cab telling them not to move but to call police.

When Officers G. B. Boggan and W. R. Grissett arrived a few minutes later they found White still sitting in his car, with the Negro lying dead on the ground between the two vehicles.

At the same time City Judge George Nobles will hear the charge of murder against Jimmy Beard, 30, Negro for the knife murder Saturday night of John Westley Hopkins in the 119 Club on North Farish street.

Beard is accused of stabbing Hopkins 18 times with a knife after the two argued in the cafe.

NEGRO IS ARRESTED IN PISTOL SLAYING

Country Store Owner Killed Near Brooksville

Special to The Commercial Appeal

MACON, Miss., July 6.—A 39-year-old Negro was being held in an undisclosed jail Sunday without formal charge in connection with the fatal shooting Saturday night of James A. Kemp at a country store near Brooksville.

Sheriff S. H. Floore of Macon identified the Negro as C. L. 'Jabo' Shelton. He said Shelton was picked up about 2 a.m. Sunday, two and a half hours after the shooting, by Highway Patrolmen George Woodward Jr. and Cecil Creek. The Negro was apprehended about five miles from the scene of the shooting. The sheriff said a 38 caliber pistol, believed the weapon with which Mr. Kemp was shot, was taken from Shelton.

Sheriff Floore said his investigation showed that Shelton and his wife were standing in front of Mr. Kemp's store about 11:30 Saturday night and got into an argument.

The sheriff said Mr. Kemp walked from his store and tried to break up the argument. As Mr. Kemp stood on the porch, the sheriff said, the Negro pulled the gun from his pocket and shot him twice.

Sheriff Floore said the Negro fled and went to his house and changed clothes. He was apprehended on a side road by the patrolmen, who, with other officers, had set up road blocks throughout the area.

Slain For Working On 'White' Job

SILVER CITY, Miss.—William Spann, 23, father of three small children, was shot and killed last week because he was doing "a white man's job" on the Warren Gardner plantation here.

In custody of police is Jimmie Savell, white tenant farmer on the Gardner plantation, who, according to an eye witness, crouched in the grass and ended Spann's life with a shotgun as Spann went about his job of weighing cotton.

It was this job which led to his death, witnesses told the sheriff of Humphrey county. They testified they heard Savell plotting to kill Spann because he was "over white folks."

Gardner said Spann was "trusted employee and was to operate a tractor and after other details including weighing of cotton as it picked.

Spann's wife, children and ther fled to Jackson, about miles from Silver City, fe reprisals. They are living brothers, Louis and Sam brothers are seeking a con with Gov. Hugh White to to open an investigation shooting.

'Murderer' Not Believed

JACKSON, Miss.—(ANP) — Sheriff Scott Thompson announced here last week that he would not reopen one of the state's most sensational murder cases in which a prominent white Delta matron, Mrs. Ruth Dickins, is now serving for the slaying of her aged mother even though a Negro from a state mental institution reportedly confessed the killing.

The Negro, Albert L. Jones, 24, was adjudged sane last week by a staff of eleven physicians after a two-month observation at the state mental hospital. Jones was arrested by Sheriff Brake Gotcher, Coahoma County, last January, on a charge of vagrancy.

The sheriff told Washington County authorities that Jones had admitted the murder of Mrs. Idella Long Thompson in 1948 with a pair of rose shears.

JONES, according to Gotcher, also admitted that he had killed several prominent women, including two living women, one of them Mrs. Hugh White, wife of the present Governor.

Sheriff Thompson questioned Jones as to why he had admitted slaying the deceased and his reply was: "Because they kept telling me the machine says I am lying."

The "machine" in question was used on Jones by a private detective, A. E. Crawford, at the request of the Dickens' family. Then said the sheriff: "The Negro told us he finally decided to tell the white folks what they wanted him to tell them."

TUPELO GROCER FACES CHARGES OF MURDER

S. J. Basham Claims Self Defense In Negro's Death

From The Commercial Appeal Tupelo, Mississippi, Bureau

TUPELO, Miss., July 21.—S. J. Basham, Tupelo grocer, Monday was charged with the murder of a Negro in a warrant signed by Sheriff Mitchell V. Grissom.

He will face preliminary hearing before Bennye Marlin Reese, Third District justice of the peace, on Aug. 15.

Dist. Atty. W. P. Mitchell ordered the charge placed against Basham, who was later released on $7,500 bond.

Delacey Brown, 45-year-old odd-jobs man, died from the loss of blood. Sheriff Grissom said Brown was shot three times in the right leg, one charge striking him in the fleshy part just below the hip. One bullet, it was reported, severed an artery and he died a short time later in Community Hospital.

Basham claims he fired in self defense. Brown, he told authorities, had his hand in his trousers pocket as though holding a weapon, which Basham said he believed to be a knife or gun.

The shooting took place at the Tom Martin house here late Saturday. Basham had gone to Martin's home to try to collect a small bill from Brown.

HIGHLY REGARDED AND TRUSTED YOUNG PLANTATION WORKER FATHER OF THREE KILLED IN AMBUSH BY WHITE TENANT

Brother Makes Vain Attempt To Lay Case Before Governor White

SILVER CREEK, Miss., Aug. 25. — (DSN) —A 23-year-old Negro Farming Supervisor, the father of three small children, a member of the local Grove Baptist Church, and of the local Masonic Lodge, who was a trusted and responsible employee of the Warren Gardner plantation here, was the victim last Monday of what is described as a job jealousy slaying.

The young Negro man was shot to death by Jim Sovvell, a white man, who is a member of one of two white families tenants on the Warren Gardner plantation.

As a part of his varied responsibilities on the plantation which included the repair and upkeep of tractors and other farm machinery, the young Negro also weighed the cotton and as it was picked by workers on the plantation. Using a shot gun loaded with buckshot the white man waited until in the late afternoon Monday when the pickers started bringing in their cotton, hid himself in a clump of weeds near the place where the young Negro had began weighing the cotton and while he was holding the scales up shot him with the full load of buckshot tearing off part of his face killing him instantly.

Seeking to minimize the slaying Sovvell is reported as saying that the shot gun went off accidentally when he started out to hunt some rabbits.

According to reports however, Sovvel who had never had any trouble of any kind with the youn Negro, was known to be bitterly jealous of the position of responsibility and importance held by the young Negro on the plantation. He had been heard by both whites and Negroes on several occasions threatening to kill him.

On Monday afternoon when the slaying took place, according to reports, Sovvell was heard telling another white man of his plan to kill Spann that afternoon.

According to reports, the officer who investigated the slaying talked to a Negro tenant on the plantation identified as Vale Cooper, who saw the white man in the bushes as he took deliberate aim at the young Negro.

According to reports, Sovvel's own mother says that she begged him not to kill the innocent man.

Deeply moved and almost heartbroken by the slaying, Louis Wallace Spann, a brother of the slain man, who is a veteran of World War II, is reported to have made several vain attempts to see Governor White in Jackson to lay the case before him, because, as he said, he fears that as in so many instances in the past he feared nothing would be done about the slaying of his brother.

He was unable to see the Governor who was out of the city but did talk to members of his office staff about the case.

According to reports, Mr. Gardner, the owner of the plantation, says that the responsible citizens are demanding proper action in regard to the slaying. He confirmed the fact that the young Negro was the highest regarded and most trusted and responsible man on the plantation.

Sovvell was arrested following the slaying and at the end of the week was still being held in jail without bond pending an investigation of the case.

Funeral service was held for the young victim in Jackson last Thursday, which is the home of the family.

Aside from the wife and three children, and an expectant fourth child, the slain man is survived by his father, Ruffin Spann, and two brothers, Louis Wallace Spann and Sammy Spann.

and neck and died instantly.

Tutor, who claimed that he had previous trouble with Thornton about keeping the truck away from the station too long, was arrested following the shooting but was released when no charge was filed against him.

The body of the victim was turned over to Sykes Funeral Home, where it was being held pending funeral arrangements.

Thornton was unmarried and before coming to Columbus to work stayed with relatives who live in one of the nearby rural communities.

'RVICE STATION WORKER SHOT O DEATH BY MANAGER AFTER REFUSING TO RETURN TO WORK

No Charge Is Made Against Slayer

COLUMBUS, Miss., Sept. 8.—(DSN)—Grantford Thornton, a 24-year-old Negro service station worker was shot to death here shortly after midnight Monday by Charles Tutor, a white man, the night manager of the service station where he was employed.

According to the police report of the incident the shooting took place when Thornton refused to return to work after an argument with the service station manager about his staying away too long with the service station truck.

According to reports police that Thornton, who was unarmed, was shot in the chest

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Missouri

Heavy Penalty The Only Crime Deterrent

Justice was done in the death sentence given the first man to be tried for the brutal slaying of Matt Jones. Anyone who thinks it is too severe must have forgotten the grim details of how the key witness in a pending circuit court case was first kidnapped, beaten to death and then thrown into the Missouri river. A more dastardly crime has not been committed in this area. The men who perpetrated this evil act were hard, calloused criminals who had lost their sense of decency and human kindness. To have given Floyd Caesar Smith less than the extreme penalty would have made a mockery of the courts and of justice. His sentence to the gas chamber should be followed by similar punishment for the other men who were his accomplices in this evil murder.

Severe punishment is the only deterrent to crime. When one with a criminal mind sees another get a light sentence or no sentence at all, he is encouraged to go out and commit a crime himself. But when he sees a fellow criminal get heavy sentences, he is inclined to think twice before he deliberately breaks the law.

Death for the kidnap-slaying of Matt Jones was expected and deserved!

Irving Jones Enters Plea Of Guilty

Expected to Testify In Trials of Other Defendants in Case

By LENA RIVERS SMITH

Irving Curtis "Poorboy" Jones on March 13 pleaded guilty to a reduced charge of second-degree murder in the slaying of Matt Jones and was sentenced to life imprisonment in the state penitentiary.

He is the second defendant sentenced in connection with the murder of the Negro courthouse janitor who was killed July 22 on the eve of a contempt of court trial in which he was to be a key witness against Alfred H. Osborne, former lawyer.

Osborne and another man, Ivory Hudson, alias Johnson, alias Seldom Seen, are also charged with first-degree murder. Their trial dates have not been set. The fourth defendant, Floyd Caesar Smith, was found guilty and sentenced to death in the gas chamber.

Jones was originally charged with first-degree murder also, however, in a dramatic 30-minute session before Judge Allen C. Southern in the circuit court, Henry H. Fox Jr., county prosecutor, reduced the charge and recommended a life penalty.

Fox Explains Why

In a brief statement at the beginning, Fox explained why the state reduced the charge. He said he expected Jones to be his chief witness against the two remaining defendants.

"This defendant wasn't in on a lot of the original preparation; he wasn't an acquaintance of the deceased, Matt Jones," Fox said.

"This defendant has cooperated with the state since the day of his arrest. He's told the same story; he hasn't deviated from it, and, in my opinion, he has been the most cooperative of all the defendants.

We anticipate that his testimony will be used in two subsequent cases, that is, in the trials of Seldom Seen and Alfred H. Osborne.

Fox referred to testimony given by Poorboy Jones in another contempt of court trial in which Osborne was found guilty. In this testimony, Jones related the details of the brutal killing of Matt Jones. He told how the circuit court witness was lured into a ride with Seldom Seen, Floyd Caesar Smith and himself (Poorboy) and how the victim was slugged and killed and his body dumped into the Mssouri river, weighted with a tire chain and a concrete block.

To Be Key Witness

He also told of a meeting with Osborne a few hours before the murder ride in which plans were made to get Matt Jones out where Seldom "could get him on the right side."

This testimony is expected to be repeated at the trials of Seldom Seen and Osborne.

"The state feels that justice will be best served by reducing the charge against Irving Curtis Jones from first to second-degree murder," Fox said.

The prosecutor also added that he believed "in all sincerity that if he (Poorboy) were tried befoe a jury, the jury might enforce the death penalty. And, in the case of a trial, the state would have to ask the death penalty."

Fox then said, "Let the record show that the state reduces the charge from first-degree murder to second degree." The prosecutor said later he would file an information to substitute for the original charge.

After Poorboy pleaded guilty, his attorney, John Ford, voiced a plea for a minimum sentence of 10 years.

He gave as his reasons the fact that Poorboy "was not a long cohort of the other two men involved in this crime."

Asks Minimum Penalty

"If there was any conspiracy to kill Matt Jones, this defendant didn't know anything about it and was not a party to it," Ford said.

"By his own testimony, he had nothing to do with the actual killing." Ford said he did not believe that "Jones needed to be locked up for the rest of his life in order to protect society from him."

"We feel the defendant is not a vicious person. This defendant is just what his name says — a poor boy."

Three lawyers, who had served as friends of the court in the contempt of court trial against Osborne during which Poorboy told of the murder ride, asked the court to give consideration to the defendant's previous cooperation.

David Hardy referred to the proceedings and said,

"Poorboy Jones was an important link in the chain of evidence we had to build. It was our feeling that had Poorboy refused to testify, it would have been very difficult to convict Osborne of con tempt of court."

Lawrence Browne, another friend of the court during the contempt proceedings, told of conferring with Poorboy prior to the trial.

"I told him just one thing," Browne said, " 'I will not, I cannot, and I never shall promise you anything.' I told him that telling the truth would be the best thing for him.

"And I told him this, I told him that I had given that advice to one other man in this matter and it turned out to be the poorest advice I had ever given. That man was Matt Jones. He told the truth and it resulted in his death. I hope that what I told Poorboy was good advice."

Kenneth I. Flagge ' the third amicus curiae, said that while Poorboy was involved in a "very serious crime" his attitude since then had been extremely helpful and he asked the court to consider this before pronouncing sentence.

At the conclusion of their statements, Ford asked the court for a sentence of 10 years.

"This is not just a killing, it is an obstruction of justice that goes to the very roots of our judicial system," Fox said, in answer to Ford's plea.

"When Floyd Caesar Smith received the death penalty — and by his own testimony, he didn't even touch the murder victim — it was an indication of what juries think about this case.

"If this defendant should go to trial before a jury, the strong probabilities are that he would go to the gas chamber."

Judge Southern then pronounced life sentence and the small crowd that had gathered to witness the proceedings quickly dispersed.

Meanwhile, upstairs on the sixth floor of the courthouse, a huge crowd that had gathered to witness the contempt of court proceedings against Osborne and nine other alleged contemnors listened in packed silence, unaware of the drama on the fifth floor, as Osborne, representing himself, cross-examined a witness.

LAST 2 WIN RETRIAL IN 'TRENTON 6' CASE

State High Court Bases Move on Legal Grounds but Finds 'Statements' Voluntary

Special to THE NEW YORK TIMES.

TRENTON, Nov. 24—A new attempt to determine justice in what was once called the Trenton Six murder case and now is the case of the Trenton Two was ordered today by the State Supreme Court.

Unanimously the seven justices called for a new trial for Collis English, 28 years old, and Ralph Cooper, 27, who had been convicted and sentenced June 14, 1951, to life imprisonment. At that time, four other defendants had been acquitted in a retrial after the court had set aside the convictions by which all six, on Aug. 6, 1948, had been sentenced to death in the electric chair.

In the new opinion, the justices upheld the admissibility of the alleged confessions of English and Cooper, but said the men had not been linked in the record to the alleged murder weapon—a soda bottle wrapped in a sock. English, the court said, had also been prejudiced by the prosecutor's "improper" references to a Federal Bureau of Investigation record which apparently showed no prior convictions, and by a policeman's memorandum about his questioning.

Mario H. Volpe, who presented the cases as Mercer County Prosecutor, commented that "the decision seems to sustain us in almost every respect except one or two technical matters." The new trial will not start until January or later.

Trials Cost County $150,000

The case involved the slaying of William Horner, 72, a second-hand furniture dealer, on Jan. 27, 1948, in a hold-up in his store here which netted but $35. Since then the trials have cost the county $150,000.

The principal point for yesterday's reversal of the conviction dealt with the finding of the sock-wrapped bottle in a coat in the home of George English, Collis English's father. The opinion, written by Associate Justice William A. Wachenfeld, said:

"The record shows no justification for the admission of these exhibits. They were not found at the home of either of the defendants, but at the residence of George English, and the bottle in the sock was in his coat, not the defendant's.

"Only by conjecture and speculation could the jury conclude anything in reference to the exhibits offered. Their admission, we think, was improper, prejudicial and harmful."

The case of the six original defendants, all Negroes, attained national prominence when the first appeal was taken up by the Civil Rights Congress, listed by the United States Attorney General as a subversive organization. However, two non-Communist groups, the American Civil Liberties Union and the National Association for the Advancement of Colored People, also backed the appeal.

Red-Tainted Group Quits

After the first convictions were upset, the Civil Rights Congress dropped out. In the second trial the association was joined by a group of Princeton educators and the Civil Liberties Union to finance the second appeal. The attorneys, Arthur Garfield Hays, George Pellettieri, J. Mercer Burrell and Clifford Moore served without fee.

In New York, Robert L. Carter, assistant special counsel, said the association would continue its efforts until English and Cooper were "exonerated and liberated."

The Supreme Court's thirty-four-page opinion rejected defense pleas that English and Cooper were poorly educated, mentally slow, subjected to pressure of five days of police interrogations, and that the alleged confessions were "induced" rathe rthan "voluntary."

"There is nothing in the record," the court said, "to indicate the accused were subjected to physical discomfort, mistreatment or inconvenience. Our study of the entire record satisfies us these statements were voluntarily made and discloses no circumstance supporting the argument the defendants' constitutional rights were violated by their admission in evidence."

New Trial For Trenton Two

Jersey High Court Reverses Convictions

TRENTON — The State Supreme Court on Monday unanimously reversed the murder conviction of Ralph Cooper and Collis English, two defendants in the Trenton Six case.

The defendants are now serving life terms following their conviction at the third trial of the six defendants last summer.

The opinion was written by Justice William A. Wachenfeld.

The court found, among other things, that notes taken by a police officer who interrogated English after his arrest and introduced as a confession was "prejudicial to the substantial rights of the defendants."

Prosecutor Condemned

The court condemned the prosecutor for telling the jury it had an FBI record of English, a statement which was not stricken nor which the jury was instructed.

The seven justices called the convictions of the defendants "a grab bag type of justice."

It is the concensus of lawyers and civil rights leaders active in the historic defense of the Trenton Six that Prosecutor Volpi will not go through with the third trial in the case.

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Legal Sentence(New Jersey)

Won New Trial For 'Trenton Two'



This is the interracial team of legal experts who won a new trial (it will be their third) for Collis English and Ralph Cooper, two of the Trenton Six defendants, now serving life-terms in Trenton (N.J.) state prison for the alleged murder of William Horner, white, in 1948. The New Jersey State Supreme Court, in a unanimous decision Monday, reversed their convictions. Left to right: J. Mercer Burrell, noted civil rights lawyer of Newark, who represented the NAACP; George Penettieri, a former judge of Trenton, who represented the Princeton Committee; Mrs. Ruth Rabstien, a Trenton attorney, assistant to the defense lawyers; and Arthur Garfield Hayes, eminent civil rights and constitutional lawyer of NYC. All defended the two men without compensation.

'Trenton Two'



COLLIS ENGLISH



RALPH COOPER

Sea Captain Indicted In Cook's Death

By ARNOLD de MILLE

NEW YORK — A voluntary manslaughter indictment was returned last Thursday against the captain of a merchant ship charged with the fatal shooting of a utility cook while on the high seas.

The victim, William Harvey, 24, New York City, was shot three times by Capt. Franklin B. Weaver, 30-year-old Alabama-born master of the ship, while the cook was handcuffed and suffering from a nervous breakdown and in a hysterical state, said Asst. U. S. Atty. Robert Regan.

A day and a half after the shooting when the ship reached Kobe, Japan, 30 unlicensed members of the crew left the ship and refused to sail with the captain. They came home on other ships.

Jury Splits On Killing At Sea

NEW YORK — The all-white Federal court jury trying Capt. Franklin B. Weaver, master of the cargo freighter Flying Trader, charged with killing utility cook William M. Harvey on Oct. 25, 1951 on the high seas, could not agree on a verdict and was dismissed early Friday morning by Judge Edward Weinfeld.

After dismissing the jury, Judge Weinfeld continued Weaver in a $25,000 bail and said a new date would be set for another trial.

According to testimony given at the trial the fatal shooting occurred while the Flying Trader was en route from Manila to Kobe Japan.

Murder on High Seas Charged To Captain; Manacled Cook Shot

A charge of murder on the high seas was made yesterday against Franklin B. Weaver, captain of the Isbrandtsen Steamship Company freighter Flying Trader, who allegedly shot and killed his Negro utility cook Oct. 25.

United States Commissioner Edward W. McDonald released the captain in $25,000 bail after he was arraigned. No indictment has been handed up by the Federal grand jury before which the captain appeared earlier in the day.

According to Robert M. Reagan, assistant United States Attorney, Capt. Weaver fired three bullets into William Harvey, twenty-four, of 580 St. Nicholas Ave., while the cook was manacled and undergoing a hysterical nervous breakdown.

When the ship reached Kobe, Japan, two days later, the thirty unlicensed seamen in the crew refused to sail with the Alabama-born captain and returned home on other vessels, Mr. Reagan said.

The captain's story, as told at the arraignment, was that he had fired at the cook after first firing a warning shot into the deck but that Mr. Harvey went after him with his handcuffs. Mahlon Dickerson, Capt. Weaver's attorney, charged that the crew members were "ganging up" on the captain in their testimony.

Capt. Weaver surrendered himself yesterday to the United States Marshal at the request of the United States Attorney. A hearing held in November by the United States Coast Guard to determine Capt. Weaver's competence to hold his master's license has been adjourned pending the outcome of the present action.

Mr. Reagan, piecing together reports from crew members, told the following story at the arraignment.

Prior to the shooting the captain had censured Mr. Harvey four times for malingering and had had him examined in Karachi and Manila because the cook said he was too ill to work. In both place he was found fit for duty, Mr. Reagan said.

At 3 a. m. Oct. 25, Mr. Harvey arose from his bunk, awakened a fellow crew man and shouted in hysterical fashion that some one must kill the captain, Mr. Reagan said. The ship was between Manila and Japan at latitude 26 degree 47 minutes north and longitude 125 degrees 47 minutes east.

Earvin Jones, the chief cook, went to the chief mate, Peter Svensen, who awakened the captain. The captain's wife, Anna, the ship's librarian, was also asleep in the suite.

Beaten With Blackjack

The captain, carrying a blackjack and a pair of handcuffs, went down to the cooks' quarters and beat Mr. Harvey on the head with the blackjack and handcuffed him, Mr. Reagan said. In the fray the captain's glasses were broken.

Capt. Weaver left the bleeding cook on the deck and went to his quarters for another pair of handcuffs and his .25 caliber automatic, Mr. Reagan said.

On his return, the captain met Mr. Harvey in a passageway leading to the crew's quarters. The cook was displaying his handcuffs and shouting to crew men to "Please take them off."

Turning, Mr. Harvey saw the captain and yelled, "You put 'em on, you take 'em off," Mr. Reagan related. Immediately after this, a shot was fired. According to witnesses, Mr. Harvey advanced on the captain saying "Go ahead captain, shoot me again." Mr. Harvey, moving toward the captain, was shot twice more, Mr. Reagan said. Bullets were found in the cook's thigh, liver and heart.

Mr. Dickerson said his client's story differs from that of the United States Attorney in that the captain shot in self-defense to forestall an attack by Mr. Harvey who advanced on the captain with his handcuffs in a striking attitude.

Capt. Weaver, who lives at 77 Huguenot Ave., Englewood, N. J., was taken off his ship at San Francisco. He is thirty-one years old and has been employed by Isbrandtsen for three years. He had been captain of the Flying Trader one year, his attorney said.

Capt. Carlsen Asked Not To Aid Shipper Who Killed Seaman

NEW YORK—Captain Kurt Carlsen, hero of the famed "Flying Enterprise," was urged last week by Walter White, executive secretary of the National Association for the Advancement of Colored People, not to let his reputation be "sullied" by testifying on behalf of a fellow skipper who shot and killed a handicuffed Negro seaman.

Learning that Captain Carlsen was expected to be a character witness for Captain Frederick Weaver, facing a manslaughter charge for the killing of William Henry, Mr. White telegraphed the famed skipper, expressing the hope that the report was not true.

"Together with the National Maritime Union," the NAACP head stated, "we have followed and investigated the facts to the limit of our ability. There is no question that Captain Frederick Weaver shot and killed William Harvey after the latter had been handcuffed. Whatever your personal feelings may be towards a fellow employee of the Isbrandtsen Line, there is no doubt that your present heroic reputation would be sullied by defense of a man who killed another human being under such circumstances."

Sues For $250,000 Over Son's Killing

NEW YORK (ANP)—Mrs. Rebecca Pratt of Dayton, O., mother of a ship's steward, who was killed at sea last week filed suit in Federal court for $250,000, naming as defendants, the Isbrandtsen Line and two officers of the freighter, Flying Trader, which has since "gone to Davey Jones' locker."

The mother charged that Capt. Franklin B. Weaver, 31, and Chief Officer Peter Svensen had failed to give proper medical care to her son, William M. Harvey, 24, and then "wilfully assaulted, handcuffed and manacled him, and then shot him three times, which caused his death."

Mrs. Pratt said she was dependent on her son.

A resident of Englewood, N. J.,

Shunned Because Dad Is Colored

NEW YORK — (ANP) — Because his step-father was a colored man, life for LaVerene Squires was pretty rough. The 17-year-old is under arrest charged with the "hate-killing" of Frank Sepuvleda, also 17.

Squires has been beaten by a gang that hung out in a local candy store. Some 18 months ago the same gang broke his arm. The Sunday before the fatal shooting, he was afraid to go out in the street.

The story is that LaVerne carrying the rifle, crossed the street and met Frank. A few words followed and LaVerene blasted away with his rifle. LaVerne's stepfather said, "He's better off dead. He was out on probation for robbery."

In court, Laverene was flanked by his mother and her husband, James Freedman. After the session, Mrs. Freedman told reporters:

"This is my husband — and probably that's the cause of the whole thing, the difference in color. He is Negro, my boy is white. The other boys ridiculed him, that's why he never associated with them."

Friends are retaining a lawyer to defend the boy. He has a job with a trucking concern.

Slept With Dead Mate; Trial Uncertain

NEW YORK—The first-degree murder trial of Mrs. Betty Ann Smith, first colored woman to be so indicted by a New York grand jury in some time, is not expected to begin until early summer — if then—it was learned this week.

Mrs. Smith was indicted Jan. 17 in the slaying of her husband, William, a Baltimorean, last Dec. 27. She pleaded not guilty on Feb. 14, Valentine Day.

The mother of an 8-year-old son, now in the Children's Shelter, Mrs. Smith, 25, is accused of shooting her 55-year-old husband in the back of the head in a room they shared in the apartment of TV actress Pauline Myers at 530 W. 157th St.

The accused woman is said to have slept in the same room with hishis body on two nights before she fled to the home of a sister in Trenton, N.J.

Has Three Lawyers

If Mrs. Smith does not plead guilty to a lesser charge, it is possible that she will be prosecuted by Assistant District Attorney James Yeargan, who has charge of all homicides handled by the New York County District Attorney's office.

Three lawyers have been appointed to defend the tiny mother when her case does come to trial. They include Thomas J. Fitzgerald of 95 Christopher St., Secretary of Tammany Hall; John P. Sweeny of 300 E. 116th St.; and Aaron Greenfeld of 391 E. 149th St.

Defense attorneys for the accused woman have intimated that if she does come to trial, she might use self-defense or temporary insanity as her defense.

A small, slight, bespectacled woman who, her lawyers say,

Victim Of Beating

could pass for white, Mrs. Smith is reported to have been the victim of beatings often by her larger husband.

Whether or not the latter was actually her husband is something else, too, which may not be clear until the time of the trial.

Evidence which the arresting officers obtained indicate that Mrs. Smith was only the common-law wife of the slain man, having been divorced by her real husband in New York sometime ago.

This Must Be Stopped

If there was any difference whatever between the slaying of ARNOLD SCHUSTER in Brooklyn and that of HOMER WRIGHT and his wife, New Haven Negroes, it is only that the latter crime was more heinous even than the first. SCHUSTER was slain after he identified WILLIE SUTTON, bank robber, to police who had sought him for years. SCHUSTER was shot to death for having done his duty as a citizen.

The WRIGHTS were killed after the New Haven Negro had successfully prevented the robbery of a business establishment in which WRIGHT happened to be working as a painter. The would-be robber was later arrested and identified by WRIGHT. For that he and his wife were blown to pieces by a dynamite "booby trap" placed in their automobile. New Haven police have recorded it as the most brutal crime in their city's history.

The effects of the SCHUSTER slaying were noticeable when the task of empaneling a jury for WILLIE SUTTON'S trial began. The effects of the WRIGHT slayings will be felt, too, for a long time and throughout an area far removed from the actual locale of their tragedy.

Connecticut has a fine state police organization and effective local law enforcement groups. Their efforts should be combined to bring the killer of the WRIGHTS to justice and they should have all the Federal assistance required. That goes, too, for the SCHUSTER killing, for both involved a terrible threat to law and order. When honest citizens are killed for preventing crimes, or for revealing criminals to police, it's time for law enforcement to present a solid front in stopping such violence.

SCHUSTER'S slayer has not been identified or arrested nor has the killer of the WRIGHTS. Until that has been done law enforcement officers cannot afford to rest. Both the SCHUSTER and WRIGHT slayings should be recorded as acts of violent terrorism aimed at the established social order. They were crimes of anarchy.

Captain Indicted In Cook's Slaying

By JAMES L. HICKS

NEW YORK—While New York was still echoing to the welcome given last Thursday to courageous Captain Carlsen of the Isbrandtsen Shipping Lines, another Isbrandtsen ship captain was indicted by a Federal grand jury and charged with the slaying of a 24-year-old colored cook on his ship.

The Federal grand jury on Thursday handed up an indictment charging sea captain Franklin B. Weaver with "voluntary manslaughter in the heat of passion" in the death of William Harvey, 24, of 508 St. Nicholas Ave., Harvey, a cook on the Isbrandtsen liner, "Flying Trade" was shot to death at sea Oct. 25 by Captain Weaver, 48.

On Friday Captain Weaver appeared in Federal court and entered a plea of "not guilty." He was released in $25,000 bail, and his trial set for Feb. 18.

Lesser Charge Made

Captain Weaver voluntarily submitted to arrest last Monday after the FBI had charged him with the murder of Harvey.

The grand jury, however, did not return a charge of murder against him, but lodged the lesser charge of "voluntary manslaughter in the heat of passion" against the Alabama born captain now living in Englewood, N.J.

On such a charge he can be convicted and given a maximum of 10 years in prison.

Assistant U.S. Attorney Robert M. Reagan said Harvey was accused of malingering by Captain Weaver while their ship was en route to the Philippines. He said Harvey complained that he was ill and could not work and that when the ship arrived at the Philippines Weaver ordered him examined.

Highly Nervous

Reagan said the examination showed that Harvey was "highly nervous" and that the ship then set out for Kobe, Japan. On Oct. 25, Reagan said, Harvey became involved in a fight with the captain in which Harvey knocked the captain's glasses off.

Weaver then is said to have knocked Harvey down, put handcuffs on him and left him lying bleeding on the floor near his quarters. Reagan said the captain then went upstairs two decks above to his own quarters and took from his safe another pair of handcuffs and a .38-caliber pistol.

He said meanwhile Harvey got up off the floor and was pleading with one of his fellow seamen to take the handcuffs off him when Captain Weaver returned to the lower deck where he was.

Reagan said upon seeing Captain Weaver, Harvey yelled to him "You take them off me, captain, you put them on." The U.S. Attorney said a shot rang out in the corridor of the ship from the captain's gun! He said Harvey continued to advance on the captain, this time crying "Shoot me again, captain," "go ahead, shoot me again."

Reagan said Weaver shot him again and still a third time. One bullet entered Weaver's thigh, another pierced his liver, and still another went through his heart.

Reagan said Captain Weaver then immediately put the extra pair of handcuffs on Harvey's ankles. When the ship arrived at Kobe, 30 members of the crew some of whom had witnessed the shooting, refused to sail further with the ship.

Captain Weaver then hired another crew, turned Harvey's body over to military authorities, and returned with his ship to San Francisco. The U.S. Attorney said Harvey was buried in Dayton, Ohio, where he has relatives.

2 Brothers Slain By Retired N. Y. Cop

YONKERS, N. Y—A retired Westchester parkway cop was held without bail last week for the fatal shooting of two brothers after an argument with a white bartender who refused the ex-cop's request to Jim Crow the men.

The prisoner, Stanley LaBenskey, 49, was reported to have walked into Yale's Tavern Wednesday night. Standing at the bar were four Negroes, three of them brothers, Wyatt Blacknall, 35, William, 26, James, 22, and James Hobbs, 32, all of Yonkers.

When LaBenskey asked the bartender if he served Negroes, the barkeep told him he served anybody who paid. He then asked if the bartender washed the glasses, to which the answer was "yes".

After several minutes of conversation between the ex-cop and the bartender, the four men decided to leave. LaBenskey followed them out.

According to the police, LaBenskey caught up with the four a half block away. Without any provocation he drew his gun. shoved it into Wyatt's stomach.

"I suppose you don't think I'd shoot!" he said.

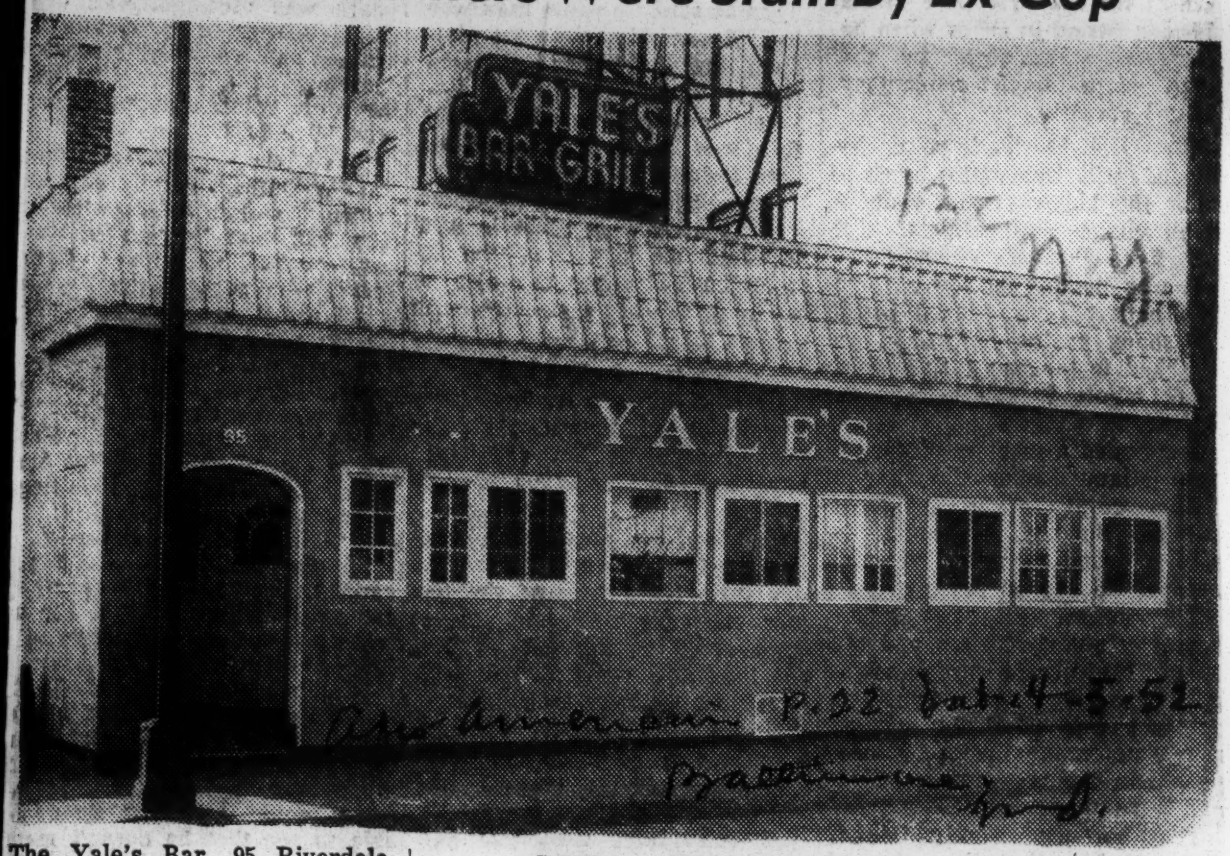
Wyatt is reported to have backed up a pace. LaBenskey pulled the trigger. William ran back to the tavern for help and called the police. Hobbs ran in a different direction.

When the police arrived on the scene Wyatt was dead from a single bullet that lodged in his spinal column. James was lying on the ground with two bullets. He died three hours later in the St. Joseph Hospital.

LaBenskey pleaded innocent but waived examination in the two murder charges against him.

13c 1952 New York

Where 2 Brothers Were Slain By Ex-Cop



The Yale's Bar, 95 Riverdale Ave., Yonkers, N.Y., where Stanley LaBenskey, 49, of that city, a retired Parkway Policeman, shot and killed two brothers, Wyatt and James Blacknall.

Kills Brothers In Hate



Stanley LaBenskey, retired policeman, who after seeing three brothers in a Yonkers's bar, followed two of them out, pulled his gun outside the bar and killed them. The victims were Wyatt and James Blacknall.

1st-Degree Murder Count Faces Racist

WHITE PLAINS, N.Y. — The Westchester County grand jury, responding to a wave of indignation, last Friday indicted Stanley LaBenskey, ex-policeman, on two counts of first-degree murder in the unprovoked fatal shooting, March 19, of two brothers, Wyatt and James Blacknall, outside a Yonkers tavern.

The slaying of the brothers has caused such a mounting wave of anger that the eight branches of the NAACP have called a county-wide mass meeting for April 10 at the Westchester County Community Center.

The meeting was first planned after the 49-year-old LaBenskey was arrested and charged with second-degree murder. Whether the first-degree murder indictments will cause postponement of the mass meeting wasn't known at presstime.

All Branches Unite

Only last Tuesday a delegation visited Westchester County Assistant D. A. Frederick Weeks and demanded that LaBenskey be prosecuted for first-degree murder. Representing various NAACP branches in Westchester County were:

The Rev. Thomas Slater, White Plains; Marvin Brown, New Rochelle; Eardlie Johnson, attorney, White Plains; Marvin Brown, New Rochelle; Dr. E. D. Collymore, White Plains; Stephen Bennett, attorney, Yonkers; John Tate, New Rochelle; Mrs. Olive Campbell, Yonkers; and Mrs. Vivian Weston, Ossining.

Meanwhile, last Friday, another brother of the slain pair, William, returned from Farmington, N.C., where he buried his more unfortunate brothers. William was with them the fatal night they entered the Yale Tavern, 95 Riverdale Ave., just two and a half blocks from their home at 14 Prospect Ave.

Taunts First Victim

The brothers were seated in the tavern drinking beer when LaBenskey entered and expressed resentment over the fact that colored were served there.

He allegedly followed the three brothers outside and, after declaring to Wyatt, "I suppose you think I'd shoot," shot the man in the stomach.

fled back into the tavern to call police and when he returned found James, too, lying wounded on the sidewalk.

Survivors Named

Both victims of the shooting worked for the Adventurer's Inn in Yonkers, where Wyatt, 35, was the cook and James, 22, his assistant.

James left a widow, Mrs. Martha Blacknall, and a son, Charles, 2. In addition to William, two sisters of the men slain live in Yonkers. They are Dora and Mabel Blacknell. The parents, Clifton and Cora Blacknall, live in Farmington, N.C., where the brothers were buried.

Immediately following the shooting irate citizens began to demand that LaBenskey be prosecuted to the fullest.

They were incensed increasingly when they remembered that the county district attorney, George Fanelli, failed to prosecute anyone following the riots in 1948 which followed two attempts by Paul Robeson to hold a concert there.

Protest Rallies Held

Last Thursday night a protest rally was held in the Yonkers Jewish Center at which time Leonard Schroeter of the NAACP legal staff spoke.

Last Monday night, Walter White, NAACP executive secretary, addressed a protest meeting held in the Bethel Baptist Church here in White Plains.

In his talk, White said the citizens of Westchester would "demonstrate that they will not tolerate Florida terror in Westchester."

The suspected slayer, LaBenskey, is a husky ex-cop who retired from the police force after serving 24 years. He is married and the father of two children.

Local papers have played up the role he played as a sharpshooter in the Orient during World War II in a manner in which some citizens regard as an attempt to draw sympathy to him..

Capt. Carlsen Asked Not To Aid Shipper Who Killed Seaman

NEW YORK—Captain Kurt Carlsen, hero of the famed "Flying Enterprise," was urged last week by Walter White, executive secretary of the National Association for the Advancement of Colored People, not to let his reputation be "sullied" by testifying on behalf of a fellow skipper who shot and killed a handcuffed Negro seaman.

Learning that Captain Carlsen was expected to be a character witness for Captain Frederick Weaver, facing a manslaughter charge for the killing of William Henry, Mr. White telegraphed the famed skipper, expressing the hope that the report was not true.

"Together with the National Maritime Union," the NAACP head stated, "we have followed and investigated the facts to the limit of our ability. There is no question that Captain Frederick Weaver shot and killed William Harvey after the latter had been handcuffed. Whatever your personal feelings may be towards a fellow employee of the Isbrandtsen Line, there is no doubt that your present heroic reputation would be sullied by defense of a man who killed another human being under such circumstances."

Slain Student Fought Injustice

NEW YORK — An inherent antagonism — the ridicule of his race — caused Enos Christiani's death on the campus of New York university two weeks ago.

In several newspaper stories he was just a student who went berserk and James G. Giordano, the guard whose blazing gun ended Christiani's life, a real hero.

But Edward Murrain, writing in the New York Age, who knew the real "Chris," knows that bullet ended his personal fight against injustices that began on the gridiron fields of Brockton high school in Massachusetts 20 years ago.

The 35-year-old aspirant for a master's degree in economics at NYU served as a combat infantryman in Italy during World War II.

Chris, Murrain relates, joined hundreds of other students in Washington Square park for a block party to raise funds for a new student building.

The sensitive night student protested when he found a concessionaire had seen fit to set up a booth with a "pickaninny" doll at which students threw darts for 10 cents a pitch.

The party ended and Christiani questioned the concessionaire further on the affront to his race and belligerent attitude. Chris kicked over a couple tables and a fight started. Clarence Young, 22, a porter at NYU, tried to halt the fracas.

Special Patrolman Giordano, 60, was called by students. His black jack felled Christiani with a blow on the head. Chris arose and knocked the guard to the ground.

According to a reliable witness's account of the incident, Chris was seized and held. The guard drew his pistol, fired one shot and missed. The second shot caught Christiani in the stomach.

The records said Enos Christiani went berserk and was slain. A friend said he fought and died for what he believed in.

Seek Facts About Killing of Negro

NEW YORK - (ANP) - What is being covered up in the killing of Enus L. Christiani, the colored student slain at New York university two weeks ago?

Daily papers carried a story that a "gigantic student had gone berserk' at a street carnival overturning tables and creating a general commotion for no apparent reason. A number of Negro newspapers copied the story verbatim without any investigation.

However, eyewitnesses say that Christiani was slain by a Holmes private patrolman, while two other students held Christiani to keep him from further pummeling the Holmes policeman. While Christiani was being held, the cop, prone on the ground, drew his revolver and fired.

According to eyewitnesses, Christiani, a music student at NYU, protested to a white sorority for insulting Negro women by using the figure of a fat mammy as a target for dart throwers in a carnival booth. Christiani said it not only insulted the Negro women students at the university, it was an insult to Negro womanhood everywhere.

Sorority officials are reported to have told Christiani it was none of his affair, the sorority felt it was a proper way to raise dough and if he didn't like it, he could act as he felt. That's when the rumpus started. The university officials are being held responsible for the shooting by the patrolman, named Giordiance. Action is being pressed by both the Civil Rights Congress and the NYU chapter of the NAACP.

Daily newspapers glossed over the entire affair, making it appear that Christiani was at fault and had attempted to break up the carnival without reason. Eyewitnesses report differently and blame the sorority for its insulting display.

2,500 Attend Meeting For Slain Blacknalls

WHITE PLAINS, N. Y.—Hate inspired violence against Negroes in this country seriously impairs our national prestige throughout the world, Walter White, executive secretary of the National Association for the Advancement of Colored People, said at a memorial meeting for James and Wyatt Blacknall.

The meeting, held in the County Center here on April 13, drew 2,500 Westchester County citizens who wished to see justice done in the case of the Blacknalls who were wantonly slain in Yonkers on the night of March 19 by Stanley LaBensky, a former county policeman. LeBensky has been indicted for first degree murder and is now awaiting trial in the county jail. On the platform were Mrs. Mabel Blacknall, sister of Wyatt and Mrs. Martha Lee Blacknall, widow of James.

REJECTS COMMUNIST AID

"The slaying of the Blacknalls, like other acts of violence against Negro citizens in Florida, Illinois, California and elsewhere, feeds the propaganda mills of our enemies abroad who point to such crimes as evidence of national hypocrisy," Mr. White said. "However," he continued, "in fighting against terror, discrimination and segregation, the Association rejects the aid of totalitarian elements more interested in exploiting misfortunes than in correcting evils."

Rudolph Halley, president of the New York City Council, warned that "public officials, especially law enforcement officers cannot merely be passive observers when the rights of minority groups are violated, but must take positive and affirmative action . . .these fundamental rights."

SOLDIER SHOT TWICE FLEEING FROM POLICE

Special to THE NEW YORK TIMES.

MINEOLA, L. I., Dec. 28—A shot-punctured chase through three miles of midnight traffic on Jericho Turnpike last night ended when a Nassau County policeman wounded an Army sergeant twice as the cornered soldier reached for a pistol on the car seat beside him.

According to the police, the incident started at a Mineola skating rink to which 26-year-old Sgt. Glenn Christman, home on Christmas leave from Camp Ruckner in Alabama, had gone with his wife, Mrs. Christman lives with her parents at 211-06 75th Avenue, Bayside, Queens, and the police said the couple had been having domestic troubles.

At the skating rink, the police added, Mrs. Christman introduced her husband to a couple she had met at the rink previously, Albert Smith of Copaigue and a companion. As the soldier and his wife left the rink at 11:30 P. M., with Mrs. Christman driving, she waved to Mr. Smith, who was standing in front of the building.

Her husband, the police said, pointed a .22 automatic pistol at the man. Mrs. Christman knocked his arm down and summoned the police.

As Sgt. John Delaney and Patrolman Thomas Meers of the Third Precinct questioned Mrs. Christman at the scene, her husband sped away in the car. The two policemen gave chase. Two warning shots were fired as the two cars careened through traffic and red lights.

Forced off the turnpike in Garden City Park, the soldier reached for the pistol on the seat beside him as Sergeant Delaney approached the car The police sargeant fired three shots, hitting Seargeant Christman in the shoulder and jaw.

The soldier was taken to Meadowbrook Hospital. Charged with illegal possession of firearms and second degree assault, he will be arraigned when he is able to appear in court.

13c 1952 New York

7-5 FOR CONVICTION:

Mistrial Ruled In Ship Captain's Killing Case

Afro-American P. 1 Baltimore, Md.

By JESSE H. WALKER

NEW YORK—The Government must now begin preparing another case against Capt. Franklin B. Weaver since the jury of four women and eight men which had heard the two-week manslaughter trial failed to reach a verdict after 13½ hours of deliberation.

Federal Judge Edward Weinfeld thanked the jury and dismissed it at 12:30 a.m. Saturday. The jury went out at 11:15 a.m. Friday morning and except one break for dinner, spent the remainder of the time in deliberations.

When discharged, reporters learned, the jury was deadlocked at 7-5 for conviction of the skipper of the Isbrandsten Line's Flying Trader who is accused of fatally shooting William Harvey, 24-year-old messman while the latter was handcuffed.

$25,000 Bail Kept

Judge Weinfeld continued Captain Weaver in $25,000 bail pending a new trial. No date for the latter was set. Asst. U.S. Attorney Thomas F. Burchill Jr., said the new trial would be "in the near future," but that his office had to go over all the testimony of the first trial to "see where we went wrong."

There wasn't too much jubilation in the captain's camp after the hung jury. During the day Captain Weaver, his wife, mother, and defense counsel, Mahlon Dickerson, all seemed to expect an acquittal and as the jury remained out, they seemed more certain.

What, with no verdict, and the captain now facing another trial, they must now prepare for another lengthy court session.

Jury Counts At Intervals

At no time was the jury vote ahead for acquittal, it was learned. On the first ballot the vote was a tie, 6-6. The next ballot was 8-4 for conviction; then 6-6 again and the final deadlock of 7-5 for conviction.

The Government charged that Captain Weaver shot young Harvey "in the heat of passion" last Oct. 25 while the Flying Trader was steaming between Manila and Kobe, Japan. Three bullets were fired into the seaman who had earlier been beaten over the head with a blackjack by the captain.

Self Defense Plea

Weaver's defense was that he shot Harvey in self defense as the latter was advancing on him.

Following the shooting 30 unlicensed crewmen refused to return to the United States aboard the Flying Trader. The 31-year-old captain who became a master when he was 25, logged all 30 as deserters.

Many of them are now suing for their back wages.

Captain Weaver has been grounded since his indictment. A native of Montgomery, Ala., but now living in Englewood, N.J., the burley skipper still has to face a U.S. Coast Guard hearing in San Francisco pending the outcome of his second trial.

Still On Payroll

In spite of his trial and the charges levelled against him, Captain Weaver has continued on the payroll of the Isbrandsten Lines. Capt. Clayton McLaughlin, operations manager for the lines, said Friday that as soon as permission was granted the captain would be given another ship.

The company, however, may find it hard to get a crew to sail under the captain. Several seaman who attended the trial stated outright that they would never sail under a man they call a "maniac."

Eight witnesses testified for the Government during the trial including six former members of the Flying Trader crew.

The first Government witness was Wesley Frye, 32, of 146 W. 129th St. who was second cook aboard the ship and has helped the captain and first mate subdue young Harvey shortly before the latter was slain.

Chief Mate Sticks To Skipper

In addition to himself, the captain's main witness was his chief mate, Peter Svensen, who claimed Harvey refused to work, had been logged by the captain and was attacking the skipper when he was fatally shot.

Burchill blasted both the testimony of Weaver and Svensen in his summation, saying they asked the jury to believe the stories told by the former crewmen on the ship.

"They told you the real story The Japan Story," he said. "What Weaver and Svensen told you was the New York story, a package deal made up after going over it hours and hours."

The trial attracted considerable attention. Each session was before a crowded courtroom and not until the jury begin its day-long deliberations did the crowd diminish.

Try Captain For Killing At Sea

Defender P. 1 Dat. 4-19-52 Chicago, Ill.

By ARNOLD de MILLE

NEW YORK — One white North Carolina officer and three crew members of the S.S. Flying Trader went on the witness stand last week and accused the captain of the freighter of shooting to death utility cook William M. Harvey while on the high seas.

The skipper, Captain Franklin B. Weaver, 31, went on trial in Federal Court Monday before Judge Edward Weinfield and an all-white jury of eight men and four women.

The 200-pound sea captain is accused of first beating Harvey, 24 and weighing 125 pounds, with a blackjack and then shooting him to death while in handcuffs.

Weaver claimed he shot the utility cook in self-defense.

The three crew members who testified for the government that the skipper "willfully, unlawfully, and in the heat of passion, shot and killed Harvey" were among the unlicensed crew of 30 who got off the ship in Kobe, Japan, and refused to sail as long as Weaver was in command of the Flying Trader. They are Arthur Bastian, 300 W. 115th st., messman; Wesley Frye, 32, of 146 W. 129th st., second cook, and Dino Varengo, 25, of Wedesport, N. Y., plumber-machinist.

The fourth witness, George Newell Wood, first assistant engineer on the Flying Trader, flew from his home in North Carolina to testify in behalf of the government.

Sun. 4-19-52

The shooting is reported to have occurred 3 a. m. on the morning of Oct. 25, between Manila and Kobe, Japan. According to testimonies given, the skipper beat Harvey over the head and about the face with a homemade blackjack, handcuffed him and left him lying on the floor bleeding.

A few minutes later the skipper is said to have returned with .25 caliber pistol and another pair of handcuffs. When Harvey advanced toward him with outstretched hands begging that the handcuffs be taken off, Weaver shot him and then placed the other pair of handcuffs around his legs.

All four witnesses, who have since quit the Flying Trader, agreed that there had been several clashes between the skipper and the utility cook.

In selecting the jury, members of labor unions, NAACP and persons with relatives in the armed forces were excluded on the grounds that they might be prejudiced.

The trial, halted midday Friday for the Easter holidays, resumed Monday. It is expected to last another week.

Ex-Cop Who Killed 2 In Cold Blood Freed

Afro American P.1 Dat. 6-21-52 Baltimore Md.

13 c NY

YONKERS, N.Y. — A burly ex-policeman with a pathological hatred of colored people, who admitted killing two brothers without provocation, was acquitted of murder charges by an all - white jury here Wednesday.

The defendant, Stanley LaBensky, 49, of 89 Ash St., former Westchester County parkway patrolman, who shot and killed the two brothers outside a tavern here on March 19 after resenting their drinking beer in the tavern, was accused of first-degree murder.

The approximately 45 spectators gasped as George D. Hannegan, foreman of the jury of 11 men and one woman, announced the verdict. Judge James W. Liddle, who came here from Schenectady to preside at the trial, had to rap his gavel loudly for silence.

Resented Their Presence

Victims of the slaying, Wyatt Blacknall, 35, and James, 22, along with a third brother, William, 26, all of this city, were seated at the bar in Yale's Tavern drinking beer when LaBensky entered and spoke to the bartender in a foreign language.

Not knowing they had been discussed, the brothers finished their drinks and left the tavern. Before they had gone halfway down the block, according to William, LaBensky caught up to them, shoved a gun into Wyatt's stomach and said:

"I suppose you don't think I'll shoot."

Wyatt backed up a pace and LaBensky shot him in the stomach, William said.

Both William Blacknall and James Hobbs, a friend of the brothers, present at the scene of the slaying, testified that they were standing on Riverdale Ave. talking with James and Wyatt when LaBensky came around the corner, pulled his gun and threatened to shoot.

Jury Deliberates 12 Hours

The jury was given the case and filed out of the courtroom at 3:42 p.m., Tuesday. Twice it returned for instructions the same day, once at 4:40 and again at 10:30 p.m. At 11:50. it was locked up for the night.

Wednesday at 9:55 a.m., the jury asked for further advice and returned at 11:19 with the verdict that shocked New York and the nation.

According to the bartender, LaBensky asked him if the place served colored people and was told by the bartender that he served anyone who paid. LaBensky then asked if the bartender washed the glasses.

Dat. 6-21-52

Getting the drift of the conversation, the brothers finished their drinks and left the tavern, but before they had gone halfway down the block, according to William, LaBensky caught up with them, shoved a gun into Wyatt's stomach and said:

Third Brother Calls Cops

'I suppose you don't think I'll shoot."

13 c

Wyatt backed up a pace, Wilshot him in the stomach.

William then ran back to the tavern and called police. When he returned to the scene with the officers, they found James, too, lying in the street, also shot in the stomach. Both men died a few hours after being admitted to St. Joseph Hospital.

LaBensky, who was recognized by some patrons of the tavern, was arrested at his home the following morning and held by Judge Martin J. Fay who granted a 24-hour adjournment to give him time to retain a lawyer.

Under questioning at the time, he confessed the killings, but could give no logical explanation for his actions, according to Acting Safety Commissioner William J. Comey. LaBensky was later arraigned on two counts of manslaughter.

He was indicted on the two counts of first - degree murder only after vehement protests by officials of the NAACP.

Defendant Changes Story

During the trial, LaBensky testified that he had left the tavern, remembered that he had left some change on the bar and was returning when the four men accosted him .He admitted on the stand that he had been drinking at the time of the slaying

Can't Recall Shooting

In his testimony, LaBensky said he did not recall firing two more shots after the first, but did recall hearing the explosions. He contended he could not recall events that followed, including a detailed statement he made at police headquarters in which he admitted shooting the men.

Dr. Perry Lichenstein, psychiatrist, attorney and adviser to the NYS district attorney's office on legal medicine, one of the last prosecution witnesses, testified that LaBensky had no lump on the side of his head when examined March 20, one day following the slaying.

LaBensky had testified that one of the men knocked him to the ground with a blow to the head and Dr. Davie Hays of Hastings testified for the defense that LaBensky could have suffered partial amnesia as the result of a blow. He examined LaBensky on May 13-15.

Amnesia All Or None

Dr. Lichenstein denied that there is any such thing as partial amnesia and it was pointed out that Dr. Hays's examnaition of LaBensky was made nearly two months after the alleged crime was committed. "You either have amnesia or you don't," Dr. Lichenstein declared.

In his unusual charge to the jury, Judge Liddle referred to New York State's civil rights laws — seldom refered to in State courts — sternly reminding the jurors that "no discrimination is permitted under the law in making your decision."

"Regardless of race, creed or color," the judge told the jurors, "you must seek and find the truth. Both races come before you on equal terms."

Following announcement of the verdict, Walter White, NAACP executive secretary, sent a telegram to Gov. Thomas E. Dewey.

Mr White urged immediate appointment of a committee to "investigate conditions in Westchester County which have led to a series of gross miscarriages of justice, the latest being the acquittal of Stanley LaBensky."

Lauds Judge, Prosecutor

Declaring that John Marchbank, Assistant District Attorney and his associates "prosecuted the case with skill and vigor and Judge Liddle presided admirably" making "all the more shocking the acquittal of LaBensky, which has enraged colored and white citizens," White added:

"It is our contention that the cold - blooded killing of five colored men during the past three years, the beatings of other colored persons, vandalism against Jewish homes and other crimes based on racial and religious bigotry have created a situation in Westchester County which is a grave peril to the enforcement of law in that county and which may spread to other parts of the State

Would Awaken Citizens

"We believe that appointment of such a committee to investigate all pertinent phases of this situation will enlighten and arouse decent citizens of Westchester County to oppose this very dangerous trend

"We believe that it will give hope to many persons who now fear that they may be the next victims of violence We urge your early and favorable consideration of this proposal"

Protests Bring Action

The NAACP was successful in having the second - degree murder indictment against LaBenskey changed to first - degree after its Westchester County branches packed more than 2,500 persons into the County Center in White Plains for a memorial meeting to the Blacknalls

Speakers at the meeting included Mr White; Rudolph Halley, president of the New York City Council; Bishop Ward Nichols of the AME Church; the late Canada Lee, star of "Cry the Beloved Country," and other civic, labor, church, and community leaders

13c 1952 New York

PRISONER ACCUSED IN POLICE SLAYING

Confession in Harlem Case Is Reported by Prosecutor's Office—2d Man Sought

A 43-year-old Queens handyman held in the City Prison for shooting his estranged girl friend, confessed yesterday that he had used the same weapon to kill Patrolman James J. McGillion early Tuesday, the prosecutor's office announced.

The prisoner, Henry Jefferson, was implicated in the slaying of the plainclothes policeman after a routine ballistics test had linked the two Harlem shootings, which occurred within a fifteen-hour period only nine blocks apart.

Acting District Attorney Joseph A. Sarafite reported Jefferson's statement, which declared that he had interceded when the policeman approached a woman standing at the northeast corner of 125th Street and Amsterdam Avenue. The suspect said an argument began and, in an ensuing scuffle, the policeman drew his service revolver and that Jefferson then drew his Spanish 6.5 mm. automatic, which is similar to a .25 caliber American weapon.

'Gun Went Off Accidentally'

"My gun went off accidentally in the scuffle," Jefferson said. "I grabbed the cop's gun and went to my home in St. Albans. I changed my clothes and shaved off my mustache."

The girl in the incident, Sandy Garcia, 24, also said that Mr. McGillion walked up to her. She quoted the policeman as warning her: "It's dangerous for a woman to be out alone in this neighborhood and at this hour. Why don't you go home?"

The stories of both Jefferson and the woman were at variance with that told by Mr. McGillion shortly before he died after undergoing a four-hour operation in a vain attempt to remove a bullet that lodged near his heart. The 35-year-old policeman said he was on his way home, where he lived with his wife and three children at [illegible] West 138th Street, when he stopped to break up an argument between two men.

Another Man in Case

The police pointed out that a few moments before the fatal meeting between Jefferson and Mr. McGillion, another man had walked up to Miss Garcia. It was said the policeman in his dying statement probably was convinced his assailant and the other man were together.

Late last night, detectives and plainclothes men, who have been working continuously on the case since early Tuesday, were searching Harlem dives and known hangouts of local hoodlums for the missing man.

Jefferson, held without bail since Wednesday morning on a felonious assault charge in the wounding of his girl friend, Sarah Goodman, 25, of 242 West 116th Street, was taken by court order from his cell at 2 A. M. yesterday. Miss Goodman, although the bullet creased her skull, was not seriously injured and was released after hospital treatment.



The New York Times

HELD IN KILLING: Henry Jefferson in the custody of a detective after he was fingerprinted at Police Headquarters yesterday for the shooting of Patrolman James J. McGillion.

Suit Found in Home

Within minutes after Jefferson confessed, detectives went to 116-32 168th Street, St. Albans, Queens, where he had lived with his brother, William. At the house they found the suit, of dark and light brown mixed fabric, which Mr. McGillion said his assailant had worn. There was no trace of the light panama hat he had worn but in a closet the victim's service revolver was recovered.

In a confrontation scene, James Hall of 751 St. Nicholas Avenue was brought before Jefferson. Mr. Sarafite said that Hall sold the death weapon to Jefferson on Monday for $35 and a wrist watch. Hall is being held in $100,000 bail as a material witness.

Miss Garcia had already been picked up and was arraigned as a material witness and held in $50,000 bail.

Jefferson was booked at the Elizabeth Street station on a charge of homicide. His police record, dating to 1930, showed he had been arrested for rape and burglary and sent to Elmira Reformatory. Two years ago he was arrested on charges of policy playing.

After being fingerprinted and photographed at Police Headquarters, the defendant appeared in Felony Court before Magistrate Thomas H. Cullen Jr, who set Aug. 28 for a hearing on the homicide charge.

Negro Slayer Is Shot Down In Wild Battle

Times Square Scene Of 3-Block Fight; 6 Others Wounded

NEW YORK, Dec. 10 (AP)—A killer with a lust for gunplay was shot down by a game cop early today in a wildly blazing gun battle in the Times Square area. Six other persons were shot.

At least eight policemen had a hand in the running, pre-dawn gunfight that surged along three blocks on Eighth Avenue—a Wild West affray in the heart of sophisticated Manhattan.

The gunman, Clarence O. Sims, 37-year-old Negro holdup man from Cleveland, all but got away as whining bullets sent frightened early morning passersby scrambling for cover.

Trades Shot For Shot

However, Patrolman Cornelius O'Shea, 24, with a crackerjack reputation during only 18 months on the force, intercepted Sims. The gritty cop charged the gunman, traded him shot for shot and finally sent him spinning to the pavement with bullets in his head and hand.

Other policemen then closed in. Sims' skull was fractured, his jaw smashed.

Before the gunman was taken to hospital, near death, O'Shea sheathed his gun, then knelt coolly beside his fallen foe, told him he was dying and got Sims to admit a long list of unsolved stickups. Later, police said Sims told them from a guarded hospital bed that he shot and killed a man Nov. 1 in a Harlem brawl.

O'Shea was spending his last night in uniform. He had been promoted to detective, effective today.

On Way To Holdup

Sims and a companion, Cecil Johnson, a 25-year-old Negro, were on their way to hold up a bar on Eighth Avenue near 42nd Street. They became embroiled in a fist fight going on out in front. The gun battle erupted before the robbery ever got started.

Johnson's role in the battle was minor. He was captured without too much trouble.

Sims has a long police record as a gunman in Ohio, where he met Johnson in the state penitentiary. The pair are wanted in Boston for the $1,680 holdup of a credit union last July. Sims admitted dozens of New York holdups, said he is wanted by the FBI and described himself as head of Cleveland's "Shotgun Gang."

Three policemen were seriously injured by his bullets. They are Patrolmen George McAuliffe, 52, Robert Knox, 32, and James Kane, 39.

Passersby Hit

Passersby hit by bullets but not seriously hurt were Henry Cates, 27, John Weinzimer, 26, and Michael Stutz, 47, all of New York.

The first fight that sparked the furious gunplay started between a 30-year-old Negro, Charles Mason, and a white man, Richard Lindquist. They got into an argument in the tavern, then wrestled to the sidewalk out in front.

Patrolmen Roy Cahill and Frank Colasonno elbowed their way through curious spectators to arrest the two brawlers.

Sims and Johnson drove up then in a flashy, two-toned convertible and swaggered through the crowd. At the same moment Patrolman McAuliffe arrived in a police radio car.

Someone in the crowd spotted a gun in Sims' waistband and tipped off McAuliffe that the Negro was armed.

McAuliffe forced Sims to a wall at gunpoint to search him just as Patrolmen Knox and Richard Conlon, 24, pushed their way onto the scene.

Their arrival distracted McAuliffe for a moment. Quick as a cat, Sims whipped a .45 pistol from his belt and the battle was on.

Fires From Hip

Firing from the hip, the gunman sent McAuliffe plunging to the pavement, wounded in both legs and one arm. Conlon's nightstick was shot out of his hand.

The crowd scattered, ducking for any cover available.

Sims and Johnson backed away, guns blazing. Knox was the next cop to fall wounded. Conlon covered Knox's body with his own as his gunfire made Sims and Johnson break and run.

Patrolman Kenneth Walters commandeered a taxi cab and quickly cornered Johnson at Ninth Avenue and 45th Street. Johnson threw down his gun and surrendered quietly.

Sims had run north along Eighth Avenue, weaving and ducking through a hail of police bullets. Pedestrians spun out of his way, groping and scrambling wildly for cover.

Patrolman Kane, attracted by the shooting, took after Sims but the gunman whirled around and shot the cop point blank in the chest with a .38 revolver he had pulled from his pocket.

Deputy Chief Inspector Jamison Leggett said Sims and Cleveland holdup and then came here to set dozens more.

Lunges For Car

Sims made a lunge for the car. But Patrolman O'Shea rounded that instant, firing as he was conducting a coun until Sims went down. "Did you do these jobs?"

"You know you're dying, don't you?" O'Shea asked.

"Yes," whispered Sims.

GUNMAN, POLICE, BYSTANDERS—

Seven fall during wild gun battle in Times Square

Slayer suspect once 'did time' in city jail

NEW YORK, Dec. 10—(AP)—Seven men were shot down today as a swaggering Cleveland gunman fought a furious running gun battle with police through the Times Sq. area.

The Negro gunman, Clarence O. Sims, finally spun to the pavement, badly wounded by a coolly firing patrolman, just as he was about to make his getaway. Three policemen were seriously wounded. Three passersby, frantically hunting cover in the hail of bullets, were wounded.

Police said Sims has triggered dozens of holdups in the New York area during the past year. Cleveland police want him on an armed robbery charge. He told police he heads the "Shotgun Gang" there.

* * *

ONE OF HIS PALS was arrested in the melee that made Eighth-av. as dangerous for a while as a rampaging frontier town on a Saturday night.

This, said police, is what happened:

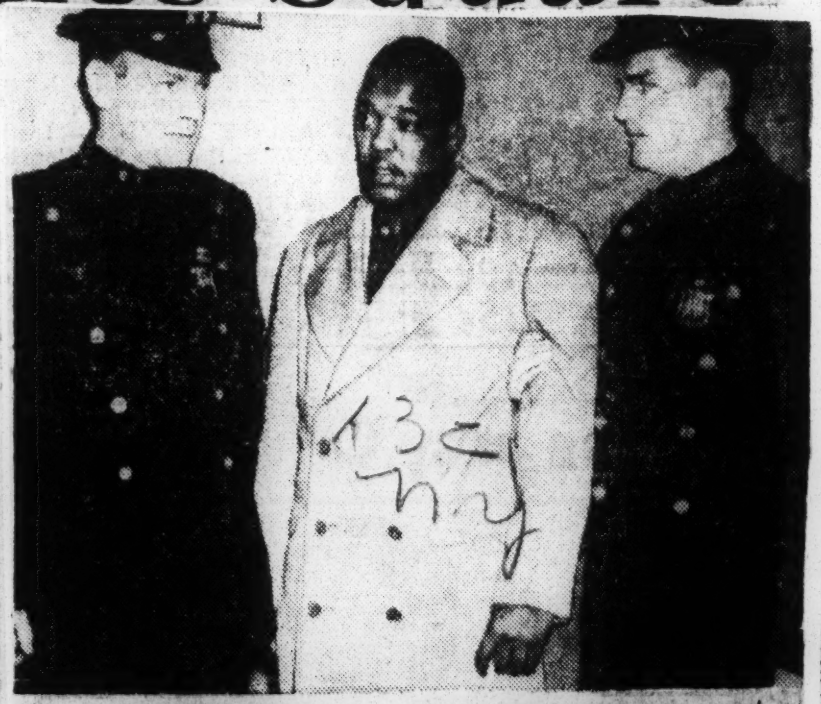
At 4 a.m. Charles Mason, a 30-year-old Negro of Denville, N. J., got into an argument in an Eighth-av bar near 42nd-st with Richard Linquist of Queens. They wrestled to the pavement.

Patrolmen Roy Cahill and Frank Colasonno pushed through a crowd of watchers and arrested them.

Then Sims and Cecil Johnson, a 25-year-old Manhattan Negro, swooped up in a snappy convertible and swaggered through the crowd.

Patrolman George McAuliffe, 52, drove up in his radio car at that moment. Someone in the crowd told him Sims was "loaded"—that is, heavily armed.

At first McAuliffe thought Sims meant to try to rescue the two arrested men. Later police learned that he and Johnson had planned to rob the bar where the fight occurred.







Held after big city gun battle—Cecil Johnson, reported member of a seven-man Cleveland robber gang, is guarded by arresting officers in New York after a roundup resulting from an early morning gun battle in Times Square streets. Flanking Johnson are Policemen Kenneth Walters, at left, and John Quinn. Also held in connection with the roundup is Charles Mason, lower left. Patrolman Cornelius O'Shea, lower right, is credited with shooting Clarence Sims, reputed gang leader whose gun battle with the police resulted in wounding of six persons, three of them policemen, and precipitating the gang roundup. (Associated Press wirephoto.)

* * *

DRAWING HIS revolver, McAuliffe prodded Sims to a wall to search him. But at that moment Patrolmen Robert Knox, 32, and Richard Conlon, 24, pushed through the crowd.



SIMS

McAuliffe glanced toward them for a moment. In his momentary lapse of vigilance, Sims whipped a .45 pistol from his belt and whirled, firing from the hip.

McAuliffe plunged forward, wounded in both legs and one arm. Sims shot Conlon's nightstick from his hand as Conlon came in swinging.

The shots split the crowd of idlers who had gathered to see the fight.

Sims and Johnson backed away, firing. Patrolman James Kane fell, wounded in the leg. Conlon dropped to the pavement, covering the wounded Knox with his own body, and firing at Sims and Johnson as they broke and ran in different directions.

* * *

PATROLMAN KENNETH WALTERS commandeered a taxi and ordered the driver to go the wrong way along 44th-st, a one-way street. He cornered Johnson at Ninth-av and 45th-st. Johnson threw away a .38 revolver and surrendered meekly.

Meanwhile, Sims ran north along Eighth-av, weaving to duck the firing of three policemen behind him. Pedestrians dropped to the sidewalk or flattened themselves in doorways as the chase grew hotter.

Patrolman James Kane, 39, heard the shooting and pounded after Sims.

Sims' gun jammed and he whipped a .38 revolver from his pocket. He halted, spun and fired point blank, hitting Kane in the chest.

David Heiweil, 32, of the Bronx, a motorist headed home, heard the crackle of approaching gunfire as he waited at a red light. He decided it was time to flee. Leaping from his car, he ran for a doorway.

Sims saw the empty car, motor idling, and lunged for it. His hands fumbling in the door.

* * *

THEN, AROUND a corner, ran Patrolman Cornelius O'Shea, 24. He fired steadily at Sims as he charged and Sims slumped to the street, a bullet wound in the back of the head, another in the right hand.

Sims and Johnson were booked on charges of felonious assault and illegally carrying weapons. Sims was locked in a hospital ward.

Then, after questioning Johnson, police disclosed they'd brought a prize to earth.

O'Shea was not only brave. He was smart. As he leaned over Sims he said, "you know you're dying, don't you."

"Yes," moaned Sims.

Then O'Shea showed him a list of robberies which the Negro carried in his pocket.

"Do you swear this list is correct?" demanded O'Shea. "Did you do all these jobs?"

"Yes," whispered Sims.

Deputy Chief Inspector James B. Leggett said the two were responsible for "dozens of jobs" in and around the city during the past year. One job was the kidnaping of two men employed by a Harrison, N. Y., firm who were dumped in a Harlem street after $8000 was taken from them.

The slips of paper listed many robberies they'd committed, police said. Among them were a $12,000 credit union job in Brooklyn, a $3700 holdup in Boston, a Brooklyn supermarket stickup which netted $2500 and many robberies of liquor stores, bars and groceries.

Johnson told Leggett he and Sims had met some time ago while serving terms in Ohio State Penitentiary. They staged several holdups in the Cleveland area before coming here, Leggett said.

Passersby hit by gunfire in the affray were Henry Cates, 27, of Manhattan; John Weinzimer, 26, of Queens, and Michael Stutz, 47, of the Bronx.

Sims served two sentences in the Birmingham jail on larceny convictions.

Center of gun battle Camp Bessemer escapee

Clarence Sims, the 37-year-old Cleveland, Ohio, Negro who fell wounded with six others in a gun battle in New York's Times Square, was arrested by Birmingham police here in 1939.

Records at the County Bureau of Identification show that Clareence O. Sims, Negro, was arrected on cahrges of grand larceny Sept. 6, 1939, and that he was convicted in County Court on June 20, 1940 for petty larceny. J. B. Jolley, identification superintendent, said the last records on Sims here shows that he was sentenced to Kilby Prison in 1940 for 239 days and that he escaped on July 17, 1940 from Camp Bessemer.

W. L. Ordiorne, identification officer at Kilby said records there show that Sims escaped from the Bessemer camp and that fugitive warrants still are pending.

Sims was arrested in 1939 by City Policemen E. L. Marshall and O. A. Evans, charged with stealing $17 from Sidney Paley, filling station operator at 1705 Fifth-av, n.

He was first arrested in Norwood, Ohio, in 1933 for petty larceny, was same crime in Cincinnati. After his convicted six weeks later of the escape from Camp Bessemer he was convicted of armed robbery in Columbus, Ohio, to a10-25-year t[erm] won parole October, 1947.

13c 1952 Legal Sentence (New York)

Tyler Youth Is Executed For Murder Of 2 Guards

Leaves Message Urging Youngsters 'To Obey' Parents; Takes Death Calmly

By S. L. Fishbein
Post Reporter

William A. Tyler, jr., 20-year-old slayer of two department store guards, strode briskly to the District Jail electric chair and was put to death soon after 10 a. m. yesterday.

He left behind him the following message neatly printed in ink on plain lined note paper:

"A message to the young and mature persons of this city. Life is wonderful if give it right. It begins at home. My first mistake was at home.



Tyler

"Although my parents reared me with the best of care, I loved and honored them, but I didn't obey the one person who's there when you need help—mother. If this is one of your mistakes correct it now before it's too late.

"I Tried"

"I know you're wondering why I'm saying this when I didn't correct myself. I tried."

The message was transmitted through the Rev. John Michael Barrett, O. P., the Catholic prison chaplain who spent the last hours with Tyler and administered the last rites of the church.

He approached death calmly, without bitterness in his heart, Father Barrett said, and asked the priest to convey his thanks to prison officials for their treatment of him. He said his last good-byes to his parents and other members of his family Thursday morning.

A muscular six-footer, Tyler strode into the death chamber clad in a white T-shirt and blue slacks with the right leg rolled up to the knee.

He sat down quickly in the chair, held out his arms and half smiled while guards applied chest and body straps. When the head plate was put over his shaven skull, he closed his eyes.

Last Words, "Okay, Father"

The straps appeared to be pinching and Father Barrett walked over to ask Tyler to "keep collected." Tyler's last words were, "Okay, Father."

The current was turned on at 10:06 a. m. for 2 minutes. The dying man's body alternately stiffened and relaxed as the voltage varied between 600 and 2000. He was pronounced dead at 10:13 by Dr. William Orsinger.

Tyler's death brought to a close the case known as the Good Friday murders. It began on the evening of April 6, 1950, when Tyler stole into Lansburgh's Department Store to rob the cash register.

He picked up a boning knife in the tearoom and murdered Guards John Carpenter, 66, and Oliver R. Hess, 57, when they surprised him.

He was arrested early in May, 1950, on suspicion of another robbery and stabbing. When police learned he was a former Lansburgh employe, they began to grill him about the Lansburgh slayings. Tyler at first denied the murders, but after agreeing to a lie detector test, he broke down and confessed.

Free Slayer Of 2 Brothers; Call For Probe

WHITE PLAINS, N.Y. — An ex-cop who confessed shooting to death two brothers and who was indicted by a grand jury for murder on two counts, was set free last week by an all-white jury of 11 men and a woman.

The ex-cop, Stanley LaBenskey, 49, and for 24 years on the Westchester police force, was found "not guilty" on the charges of fatally shooting James and Wyatt Blacknall, both of White Plains, on the night of March 19 because he resented Negroes being served in a tavern which he patronized.

The verdict came as a shock to many white citizens as well as to Negroes. LaBenskey had admitted upon his arrest that he shot the two brothers.

Immediately following the jury's decision, the NAACP sent a telegram to Gov. Thomas E. Dewey denouncing it as "another miscarriage of justice" and asking that a committee be set up to investigate the Westchester County jury panel and the administration of justice in the county.

13c 1952

North Carolina

Mixed Jury Convicts Man

LEXINGTON, N. C. —(ANP)— John Roman, Negro ice - plant worker, was found guilty of first-degree murder of an elderly white woman by a mixed jury sitting in Davidson County Court here Friday. The jury, composed of four Negroes and eight whites, cast their votes by secret ballot.

Roman was immediately sentenced to die in the gas chamber at Central Prison, Raleigh, on March 21. His attorney, Hosea Price, however, informed the court that he would appeal the case to the state supreme court, thus winning a delay in the execution.

The victim in the case was Mrs Herbert Hinshaw, 65, who went to her death last August 12. Her body was discovered by two sisters, lying on the floor in a hall of her home. Examination by medical authorities disclosed that she might have been raped.

Though Roman steadfastly denied knowledge of the crime, a wealth of circumstantial evidence was piled up which pointed to his guilt.

Boy, 11, Exonerated In Stepdad's Death

N. C. Man, Good Provider But Jealous, Was Beating Mother

WINSTON-SALEM, N.C.— Eleven - year-old James W. Jones was justified in the fatal shooting of Walter Owens the night of April 11 when the man threatened to kill the whole family, Judge Nat S. Crews ruled last week in releasing the child.

When the judge asked the bright-eyed boy. "Did you shoot Walter Owens?" the lad whispered "I shot him," then added in more audible tones, "I am sorry about it, but I got scared when he said he was going to kill all of us."

The boy's testimony was corroborated by that of his mother and sister, Virginia. It was also disclosed that Owens was living in common-law relationship with the boy's mother, was insanely jealous and would come home on week ends in a drunken condition.

Was Good Provider

Although easily provoked to violence on week ends, it was revealed that Owens provided for the family and was a steady worker. However, he was so jealous that he refused to permit the children to attend Sunday school for fear they would bring messages to their mother.

On the day he was killed, Mrs. Jones testified, Owens came home already intoxicated, with more whiskey in his pockets. He complained about the meal she had prepared, gave her some meat, then objected to the way she was cooking that.

After scolding the children, saying they were bringing her messages from school, she said, he began beating her, ran the children out of their four-room apartment at 154 Johnson St., and threatened to throw her out through the window.

Lad Describes Slaying

Huddled in an adjoining room, James told the court, he heard Owens, who had taught him how to load and shoot a gun, beating his mother and threatening to kill all of them. He got the shotgun standing in the room, loaded it and waited.

The boy added:

"I got Virginia to open the door, saw my stepfather sitting on the bed and when he looked at me, I shot him. Then he hollered he was shot, ran outside. When he came back he asked me how I could shoot him. Then he laid down and Virginia put a coat over him."

According to neighbors, the mother is a neat and tidy housekeeper and the children are rated "excellent" in deportment and scholarship in school.

Mental Patient Shoots Medic In North Carolina

FUQUAY-VARINA, N. C.—(INS)—A 24-year old Negro mental patient suffering from a persecution complex Thursday shot and killed Dr. W. S. Cozart, Fuquay-Varina mayor and physician.

The suspect, Linwood Lewis, was whisked to the Wake County jail in Raleigh moments after he was captured before a possible lynching by townsmen could be started. Dr. Cozart was in his office this morning when Lewis walked in to see him, and shot him through the chest with a .45 caliber pistol.

The elderly civic leader was killed almost instantly as the slug tore through his chest. Lewis ran from the building, but was captured a block away from the shooting by Police Chief W. T. Vaughn. As he fled Lewis bumped into a Negro woman, Mrs. Vanda Byrdine, who reported him to the police.

Highway patrolman Ransome Smith who arrived on the scene moments later found Lewis' pistol underneath a wagon where he had thrown it after running into Mrs. Byrdine.

Smith entered the building and had to fight to keep Cozart's son, Dr. Wiley H. Cozart, from snatching his gun and going after Lewis who by that time had been captured.

Chief Vaughn said the crowd that quickly gathered was in an ugly mood, and to avoid any trouble he immediately carried Lewis to Raleigh.

Lewis was released early this year from the state mental hospital at Goldsboro. He is reported to have suffered from a persecution complex, and was a hypocondrci He also accused Dr. Cozart several times of putting a 'hex" on him.

Lewis had been treated by the physician for trouble with his lips. Lewis had previously threatened to kill kill Cozart and two other doctors for "hexing" him.

Fuquay-Varina is located about 20 miles south of Raleigh.

Hides Behind Wife's Skirts, Wins Freedom

Killer Of Tenant Relates Fantastic Tale Of Attack

By LUCIUS JONES
AFRO Staff Correspondent

NEW BERN, N.C. — Cravenly hiding behind his wife's skirts, Newton Hanes, wealthy white farmer, Friday was freed by an all-white jury in the cold-blooded murder of his tenant farmer, Ishmael Simmons.

Made desperate by overwhelming evidence of his guilt built up by the State, Hanes's defense counsel in a last-minute switch, resorted to a fantastic story that Simmons had criminally attacked Mrs. Hanes a month before he was slain.

Ignoring the testimony of the dead man's wife and children that Simmons was in the field working with them at the time of the allege assault, the twelve white jurors after deliberating nine hours, accepted Hanes's unsupported tale and returned a verdict of "not guilty."

Judge's Appeal Ignored

In reaching its verdict, the jury also ignored the appeal of Trial Judge John J. Burney for "equal justice."

This appeal was supplemented by Prosecutor William J. Bundy. Bundy in his closing argument reminded the jurors:

"The moral duty and grave responsibility of North Carolina is to guarantee each person on trial, regardless of race or color, fair, full and impartial human justice."

So shocked was Judge Burney by the jury's miscarriage of Justice that he refused to go through the usual formalites of thanking each member of his service in the case.

Business at Standstill

"Court's adjourned," he snapped, and stalked disgustedly off the bench.

The four - day murder trial virtually brought all business to a standstill in this small tobacco center.

The case had become the chief topic of discussion since Simmon's body had been discovered stuffed in the trunk of the wealthy gentleman farmer's car.

Agents of both the Federal Bureau of Investigation and the State Bureau of Investigation went to work. Piece by piece they built up the case against Hanes, who at first denied having slain Simmons.

The State contended that Simmons was shot in "cold - blooded" murder because he demanded that Hanes pay him $30 as his share of tobacco grown on the 500-acre farm owned by Hanes.

Admits Hiding Clothes

Evidence was introduced showing that Hanes had first shot Simmons in the forehead. After the wounded man had fallen, Hanes knelt and hsot him twice behind the ears. Hanes later admitted this to be true.

Hanes also admitted State evidence that he had tried to hide the clothes Simmons was wearing at the time of the slaying.

When first arrested, Hanes testifying before a coroner's jury, denied killing the tenant farmer. He claimed no knowledge of the murder.

The case was presented to a Craven County grand jury, which promptly indicted the scion of a Winston-Salem banking and textile family. He was charged with first degree murder and ordered held without bond.

Jailed past midnight — the day after the murder—Hanes was held in prison until his lawyer, John Beamon, secured for him a $25,000 bond on a writ of habeas corpus.

Evidence Piles Up

After a day and a half of argument between the defense and prosecution on the Hanes case, the evidence against Hanes piled up

The state prosecution evidence directed by Solicitor Bundy and L A. Grantham, seemed almost insurmountable. Hanes, who had not been on the witness stand at all in the murder trial, hastily conferred with his counsel.

In a flash, he agreed to offer himself for testimony and cross-examination. Hanes said he was pleading "not guilty" of the murder, although finally admitted having killed Simmons in self defense.

Argue Over Money

Hanes said, at the outset, he and Simmons were at issue over the latter's claim for tobacco money. He said Simmons called him long distance in Winston-Salem Saturday, Nov. 3, about the money and he told Simmons to "get the hell off my tobacco farm, you S-O-B!"

Following this telephone conversation in New Bern, Hanes testified that Simmons came by the house in less than an hour later and demanded his money . . . while standing in the back door of the kitchen on the rear of the Hanes home.

Hanes said he told Simmons:

"You needn't come in here acting so biggety and raising so much hell when you know it is Sunday and I can't do anything about the money anyway."

According to Hanes, Simmons shook his fist at him. Hanes said, at that point, he told Simmons he'd have him indicted for raping his wife.

Reaches For Pistol

Hanes said Simmons growled at him in fury, grabbed a carving knife off the kitchen table and charged toward him.

He reached for his pistol and had just enough time to shoot Simmons before he completed a second lunge at him with the knife, Hanes testified.

Solicitor Bundy told Hanes that he killed Simmons with malice aforethought, and in his later argument to the jury stressed that Hanes was lying about what happened.

He charged that Hanes already had the gun, out of its case, and apparently had it ready for action. He said Hanes shot Simmons out of malice.

Solicitor Bundy put on six witnesses including Mrs. Martha Simmons, the widow's sister, and other members of the family who worked in the peanut fields Sept. 27, and all of them testified that Ishmael Simmons worked all day Sept. 27 shaking peanuts.

This contradicted the claim that Simmons raped Mrs. Hanes that day in the Hanes home between nine and 10'oclock in the morning.

Clear White Farmer Of Killing Tenant

NEW BERN, N. C.—An all-white jury acquitted a wealthy Trent River white farmer last Friday of a charge of murdering a Negro tenant.

Newton Hanes, member of a prominent Winston Salem banking and industrial family was tried for shooting Ishamel Simmons, 40, tenant on Hanes' farm. The jury deliberated six hours and 15 minutes.

2nd Trial For Youth Saved From Death

NEW BERN, N.C.—Saved from the gas chamber last Oct. 17 by the State Supreme Court, Ernest R. Simmons, 17, will go on trial again next month on a charge of having killed Joseph McGhee, 58, a white farmer.

The youth was sentenced to die by Judge Leo Carr after a jury had ruled him guilty. However, in giving his instructions to the jury, Judge Carr has said that the jury could recommend life imprisonment should it reach a guilty verdict.

Called Prejudicial

The Supreme Court declared that this statement was an error because it was prejudicial. Charles L. Abernethy Jr., court-appointed lawyer for the youth, used that statement in his appeal to the higher court. Judge John J. Burney of Wilmington will sit during the new trial.

During the first trial, young Simmons denied that he had anything to do with the April 20 killing of McGhee; that he was arrested only because he had been near the scene of the crime. There is some speculation that he might be permitted to face a second degree murder charge at the new hearing.

Two Men Under Death Sentence Given Stay

WASHINGTON, D. C.—(NNPA)—Two men under sentence of death by asphyxiation in the Central Prison of North Carolina at Raleigh, North Carolina, have been given a new lease on life by the United States Supreme Court.

The high court has agreed to review the convictions of the two men, Bennie Daniels and Lloyd Ray Daniels, on charges of first-degree murder. The court is allowing the two men to proceed as paupers without payment of costs for prosecuting their appeal.

The two men were convicted in Pitt County, North Carolina, of first-degree murder for the death of William Benjamin O'Neal, a white taxicab driver of Greenville, North Carolina, by kicking and heavy blows. They were sentenced to death by asphyxiation.

The United States Supreme Court on May 8, 1950, refused to review their convictions. The two men then sought release by writ of habeas corpus filed in the Federal District Court at Raleigh.

The District Court dismissed the proceedings and its judgment was upheld by the Fourth United States Circuit Court of Appeals.

In their appeal to the Supreme Court, the two men allege that qualified colored persons were excluded from the grand and trial juries in their case. They also contend that they were convicted by use of "alleged written confessions obtained under circumstances actually or inherently coercive."

Negro Convicted In Murder of N. C. White Woman

LEXINGTON, N. C. — (ANP) —John Roman, Negro tobacco plant worker, was found guilty of first degree murder of an elderly white woman by a mixed jury sitting in Davidson county court here Friday. The jury, composed of four Negroes and eight whites, cast their ballots by secret ballot.

Roman was immediately sentenced to die in the gas chamber at Central Prison, Raleigh, on March 21. His attorney, Hosea Price, however, informed the court that he would appeal the case to the state supreme court, thus winning a delay in the execution.

The victim in the case was Mrs. Herbert Hinshaw, 65, who went to her death last Aug. 12. Her body was discovered by two sisters, lying on the floor in a hall minute deliberation brought a 9-3 deadlock with the majority favoring the death penalty for murder in the first degree. The minority held out for first degree conviction with a recommendation of mercy —which would have won for Roman a life sentence.

In a final vote, however, the majority won out and the verdict return was for the death penalty.

Though Roman steadfastly denied Knowledge of the crime, a wealth of circumstantial evidence was piled up which pointed to his guilt.

When the case was first turned over to the jury, a two-hour

Governor Fails To Halt Miller Execution In N.C.

RALEIGH, N. C.—(INS)— Governor Scott failed to intervene in the execution of LaFayette Miller Thursday by refusing to grant a request of Miller's counsel for a stay of execution.

The Governor said in refusing the request that his investigation had revealed no grounds to sustain a claim by Miller's attorneys that his constitutional right had been violated.

Herman L. Taylor and Frank Brower, Negro attorneys of Raleigh and Durham, claimed their client was indicted and tried by a grand and petit jury of Beaufort County from which juries Negroes had been arbitrarily and purposely excluded over the years.

The 22-year-old Miller is scheduled to die at 10 Friday morning in the gas chamber at Central Prison for the shotgun murder of Harvey Boyd, 21-year-old Beaufort County farmer, last Thanksgiving eve.

Forced Confessions Charged By Accused

Two Held For Criminal Attack Two Others Of Slaying Taxi Driver

WASHINGTON (NNPA) — The United States Supreme Court will hear oral arguments during the week of April 28 in three capital cases in which the four petitioners are under sentence of asphyxiation. All are from North Carolina.

The cases involve substantially the same legal questions: (1) The exclusion of colored persons from grand and petit juries, and (2) the use as evidence of confessions alleged to have been obtained by duress and coercion.

The three cases are those of Clyde Brown and Raleigh Speller, who were found guilty of rape, and Bennie and Lloyd Ray Daniels, who were convicted of first-degree murder.

Two Charged With Rape

Brown was convicted of rape at the September, 1950, term of the Forsyth County Superior Court. The N.C. Supreme Court affirmed his conviction, and the U.S. Supreme court refused to review the case.

Brown filed apetition for a writ of habeas corpus in the Federal District Court at Raleigh June 21, 1951, seeking his release on the grounds of systematic racial discrimination in the selection of the grand jury and the use of a confession alleged to have been obtained from him by coercion.

The Federal court last July 19 denied the writ, dismissed the petition and vacated the stay of his execution. Brown then appealed to the United States Supreme Court.

Judge Admitted Confession

At the trial in Forsyth County Superior Court Brown's counsel moved to quash the indictment on the ground that there had been systematic and arbitrary limitation of colored representation on the grand jury solely because of race.

The motion was denied. The trial judge also admitted as evidence of Brown's confession, finding that the statements had been freely and voluntarily given.

Speller was thrice tried, convicted and sentenced to death in the Bertie County Superior Court on a charge of raping Mrs. Aubrey Davis, 50-year-old white woman. He appealed from each conviction to the North Carolina Supreme Court.

Received Three Trials

On the first appeal, the indictment, trial and conviction were set aside and Speller granted a new trial because of a defect in the jury.

On the second appeal, the conviction was set aside and a new trial granted for failure to allow Speller sufficient time or opportunity to present his challenge to the jury panel.

The validity of the second indictment was not attacked. The grand jury consisted of both white and colored persons.

On the third appeal, Speller's conviction was upheld. The United States Supreme Court refused to review the case. Speller then filed in the Federal District Court a petition for a writ of habeas corpus. The habeas corpus proceedings were dismissed on procedural grounds.

Supreme Court Assents

The Fourth United States Circuit Court of Appeals affirmed the action of the District Court, and the United States Supreme Court agreed to review the decision of the circuit court.

Bennie and Lloyd Daniels were indicted by the Pitt County grand jury. They were charged with first-degree murder in the killing of William Benjamin O'Neal, a taxicab driver.

The two condemned youths were seen in Greenville, N.C., February 5, 1949. Later they were seen getting into O'Neal's cab.

Found Brutally Murdered

O'Neal's body was found Sunday, February 6, 1949, at a place some miles from Greenville, near some tobacco barns located just off a country road. O'Neal's head was crushed, his throat had been cut, and his whole body crushed and beaten all over.

Lloyd was arrested on the following Monday morning in a tenant house on a farm. Bennie was arrested Tuesday morning. Each is alleged to have made a statement to the officers, admitting participating in the killing of O'Neal and giving the details of the murder.

Deny Signing Confessions

On Tuesday night, February 8, 1949, both men were questioned in the jail at Williamston and signed written confessions. At their trial, both repudiated the alleged confessions, and said whatever statements they made were induced by fear and coercion.

The State is contending that the issues of the exclusion of colored persons from jury service and the use of the alleged confessions against the condemned men, having been decided adversely against them by North Carolina courts, cannot be retried through habeas corpus proceedings.

Group Seeks To Escape Execution

High Court Hears First N. Carolina Negro Lawyers Argue

WASHINGTON, D. C. — For what was understood to be the first time last week Negro lawyers from North Carolina figured in arguments before the United States Supreme Court.

Herman L. Taylor of Raleigh and Frank Brower of Durham, appeared before the highest tribunal in company with three other attorneys in three cases involving four men sentenced by North Carolina courts to death in the gas chamber.

THE OTHER LAWYERS were O. John Rogge of New York, former United States Assistant Attorney General; Murray Gordon of New York, and Hosea V. Price of Winston-Salem, N. C.

The question of federal court review of federal constitutional questions raised in state courts was the main issue presented to the Supreme Court.

The celebrated cases included those of Daniel Cousins, Raleigh Speller, Lloyd and Bennie Daniels, before the court of writs of habeas corpus.

SPELLER HAS been in death row at North Carolina State Prison at Raleigh since 1947. The two Daniels have been awaiting execution since 1949, and Brown has been condemned to death since early 1950.

Rogge representing the Daniels, convicted of first degree murder, contended that there must be some place in the federal judicial system for review of such questions raised in state court proceedings.

He explained that prior to 1925, under the federal judiciary act, a defendant, as a matter of right, could take his case to the United States Supreme Court on a writ of error from the highest state court.

In 1925, writs of error, as matters of right, were taken away and petition for writ of certiorari substituted. The high court decides whether it will grant or deny a petition for certiorari to review a case.

Now that defendants can no longer go to the Supreme Court as a matter of right by way of a writ of error, Mr. Rogge contends, the role of writs of habeas corpus should be expanded to give federal district courts jurisdiction to pass upon federal constitutional questions raised in state court proceedings.

* * *

RALPH MOODY, Assistant Attorney General for North Carolina, contended that when federal questions are raised in state courts, and the United States Supreme Court refuses to review the judgment of the State Supreme Court, federal district judges should not have the power to issue writs of habeas corpus unless there are "extraordinary circumstances" in the case.

He defined "extraordinary circumstances" as "mob violence" or "perjured testimony."

It was Mr. Moody's position that questions of racial discrimination in the selection of grand and trial juries and of the use in evidence of confessions alleged to have been obtained by coercion cannot be considered on habeas corpus proceedings.

* * *

MR. TAYLOR, contended in the case of Speller that in the selection of juries no thought should be given to race or color. He argued that the jury system in Vance County, N. C., is so operated that only a few colored persons "trickle through" and a defendant never gets a chance to have a colored person pass on his guilt or innocence.

In the trial of Speller the names of seven colored persons were placed in the jury box and four of them were drawn as prospective jurors, but none served. It was the first time in fifty years, Taylors said, that colored persons had been called for jury duty in that county.

* * *

MR. PRICE, at the outset of the argument in the case of Clyde Brown said that his name did not appear on the brief in that case because he had withdrawn from it by permission of the court because of "interference from outside organizations." He said he "got fed up" with the case because these organizations were "very vocal" in disseminating information about the case.

The chief difference between the Brown case and the other two cases was that the Federal District Court held hearing in the other two Brown case "summarily and arbitrarily" without a hearing.

* * *

BENNIE AND LLOYD Daniels, two young colored men, were convicted in Pitt County Superior Court of first-degree murder for the death of William Benjamin O'Neal, a white taxicab driver of Greenville.

At their trial the two men denied killing O'Neal and said whatever statements they made were induced by fear and coercion. Their alleged confessions were admitted in evidence over objections of their counsel and the trial judge instructed the jury that the confessions had been voluntarily made. Rogge argued that this was error.

The United States Supreme Court May 8, 1950, refused to review their convictions. The two men then sought release by habeas corpus in the Federal District Court at Raleigh. The court dismissed the proceedings and was upheld by the Fourth United States Circuit Court. They then appealed to the Supreme Court for a review of the judgments of the lower Federal courts.

* * *

BROWN, an illiterate 20-year old youth, was convicted in the Forsyth County Superior Court of raping a young white girl named Betty Jane Clifton on June 16, 1950. The alleged rape occurred around noon while Betty, a 17-year old high school student, was tending the radio shop of her father, Thomas E. Clifton, in Winston-Salem in his absence. She was cruelly beaten and raped.

Brown was seen in the vicinity of the shop about the time of the alleged crime. He was arrested and held for investigation. After several days of detention he allegedly confessed.

His conviction and sentence were upheld by the North Carolina Supreme Court. The United States Supreme Court last May 28 refused to review the case. Justices Black and William O. Douglas dissented.

* * *

BROWN THEN sought his release by filing a petition for a writ of habeas corpus in the Federal District Court at Raleigh on the grounds of systematic racial discrimination in the selection of the grand jury and use against him of an allegedly coerced confession.

The District Court on July 14, 1951, denied his petition without a hearing, and the Fourth United States Circuit Court of Appeals affirmed its judgment. He then asked the United States Supreme Court to review the judgment of the circuit court.

* * *

SPELLER was thrice tried, convicted and sentenced to death for the alleged rape of Mrs. Aubrey Davis, a 50-year old white woman.

His first conviction was reversed by the North Carolina Supreme Court because of systematic exclusion of colored persons from jury duty in Bertie county. A second indictment against him was returned by a grand jury on which two colored persons sat. Speller was tried and convicted a second time in Warren county. The second conviction was set aside because the trial judge refused to give defense counsel time to investigate and procure facts upon which to raise the issue of exclusion of colored persons from jury duty in Warren County.

The third trial took place in Vance county. Defense counsel again challenged the entire array of prospective jurors. The challenge was denied. Speller was convicted again, but the North Carolina Supreme Court this time affirmed his conviction. The United States Supreme Court refused to review the case.

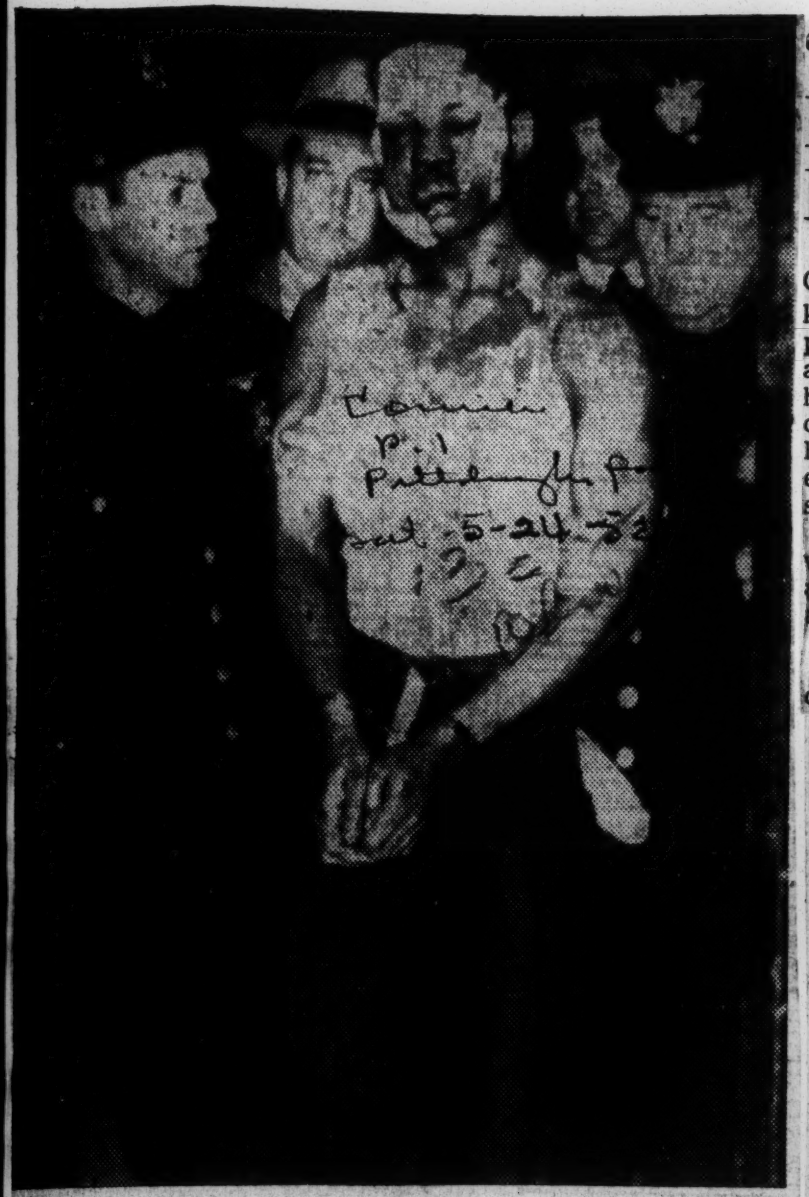
Speller then filed a petition for a write of habeas corpus in the Federal District Court at Raleigh. His petition was dismissed. The Fourth United States Circuit Court affirmed the action of the District Court. Speller again appealed to the United States Supreme Court.

3 Death Cases Set For Review

WASHINGTON, D. C. (NNPA)—The United States Supreme court will hear oral arguments during the week of April 28 in three capital cases in which the four petitioners are under sentence of asphyxiation. All three are from North Carolina.

The cases involve substantially the same legal questions: (1) The exclusion of colored perons from grand and petit juries, and (2) the use as evidence of confessions alleged to have been obtained by duress and coercion.

The three cases are those of Clyde Brown and Raleigh Speller, who were found guilty of rape, and Benni and Lloyd Ray Danils, who were convicted of first-degree murder.



Bloody Aftermath—Lawrence Goldsby, killer of four persons on a Cleveland bus, is shown apprehended by police after being severely beaten by an angry mob. He is being led into the prison ward of Cleveland's City Hospital. A police officer was among the crazed killer's victims. Goldsby is flanked by Patrolman William Moszisik (left) and Patrolman Frank Kelley. He snatched the death weapon from an officer who first sought to arrest him for molesting passengers on the bus.—

'Mad Dog' Killer Indicted

CLEVELAND, Ohio—Lawrence Goldsby, 20-year-old "mad dog" killer, who fatally shot three passengers and a police officer in a local bus during evening rush hour last week, was indicted on a charge of first degree murder here Thursday. Trial for the unemployed youth is expected to be set for a date early in June.

All of Goldsby's victims were white, although he fired a shot at the Negro woman, bus driver and missed.

GOLDSBY, WHO went berserk on the bus and grabbed a police-



MRS. ESTELLE HILL

man's gun, killing the policeman, two women and a man, faces automatic first degree murder charges since the slaying of a peace officer while on duty carries this charge according to Ohio law.

Goldsby is originally from Pine Bluff, Ark., although he lived with his grandparents here in Cleveland. His grandmother told newspapermen that she had attempted to have the boy "put away" since his early adolescence.

Included among Goldsby's victims was William James Powers, Cleveland attorney, who was defense counsel in 1944 for William Dudley Pelley, the Noblesville, Ind., "Silver Shirts" leader convicted of sedition. Pelley was a notorious "race baiter."

Goldsby told police: "I was just mad. I was mad at that girl for saying I was burning her hair. I shot the other woman because she was going to call the cop. I shot the cop because he was going to take me off the bus. I did not mean to shoot that other man. That was just a stray bullet."

Norman Selby Minor, one of Ohio's outstanding criminal attorneys, who had served for sixteen years as assistant county prosecutor, has offered to defend Goldsby if he is adjudged insane.

13c 1952

Oregon

PORTLAND NEGRO MOTHER IS RELEASED FROM CUSTODY IN SLAYING OF WHITE INTRUDER

Pgach Dispatch

Coroner's Jury Rules Frightened Matron Was Within Her Rights When She Shot Gun

P. 5

CONFEDERATES ADMIT THEY WERE WRONG

13c Oregon

PORTLAND, Ore. — (ANP) — A youthful mother who fatally shot a white man here two weeks ago was exonerated by a coroner's jury which ruled that in doing so she was defending her home and children.

The jury exonerated Mrs. Betty F. Lewis, mother of two children, of criminal intent in the fatal shooting of Lloyd LeRoy Vanderpool, 28 year old white man, who approached her home and with a companion asked for a "girl for Eddie."

Oklahoma

Mrs. Lewis, home alone with her children, aged two and four, became frightened and fired a shot through the door when the men failed to heed her demand that they leave. The shot struck Vanderpool in the chest and he died 30 minutes later in a hospital.

Okla.

Ad. 9-27-52.

The coroner's jury found that Vanderdpool "was trespassing and was shot."

Mrs. Lewis, the verdict read, was within her rights in defending her home and children.

The mother and housewife testified frightened by the men at her door. She said she fired the shot with a .22 caliber rifle at the door, but intended only to frighten the intruders away.

Testimony of two other members of the group that visited the Lewis residence corroborated her story. They admitted they were seeking a place to get liquor or women.

At the time of shooting, police offered the theory that the men might have mistaken the Lewis place for another nearby which was suspected of housing prostitutes.

13c 1952

Pennsylvania

Doomed Man Says Doctor Calling Him Sane Is Insane

PHILADELPHIA

That the court psychiatrist who branded him as sane was himself insane at the time is the argument attorneys for a man condemned to die in January used before the State Supreme Court here last week in order to have the prisoner's death sentence set aside.

Saved from the chair early in November by a stay of execution granted by Gov. John S. Fine is Theodore Elliot, 25, who was convicted and condemned to die three years ago, after he pleaded guilty to the charge of murdering Patrolman George J. Mitchell.

At the time of his trial Elliott was examined by Dr. William Drayton Jr., a Municipal Court psychiatrist, who said Elliott was "probably no higher mentally than the middle-grade moron scale" but that he was not mentally ill.

Bernie F. Winkelman, Elliott's attorney, said Dr. Drayton had been found mentally incompetent in a court action brought by his own wife six weeks after Dr. Drayton filed his report on Elliott.

Court records disclose that Dr. Drayton, former head of psychiatry at Philadelphia General Hospital, made several contradictory statements in his report dated July 6, 1950, concerning the mental condition of Elliott, according to Elliott's defense counsel.

In a writ of habeas corpus filed by Elliott's attorneys, Winkelman and W. A. Cowan, and refused by Common Pleas Court, it was asserted that Dr. Drayton was mentally incapable to perform an accurate examination.

Mentally Incompetent

Records, according to the writ, prove that Dr. Drayton had ceased to be connected with institutions in 1949, because of a mental disease.

On Sept. 20, 1951, his wife filed a petition in Common Pleas Court requesting that a guardian be appointed to handle his business affairs because of the physician's mental ailment.

On the same day he was admitted to the Pennsylvania Hospital for Mental and Nervous Diseases. On Oct. 12, 1951, the record also states, he was transferred to the Veterans' Hospital at Coatesville, where he is now a patient.

Defendant's Head Injury

Court records revealed that Dr. Drayton, when appointed by Judges Eugene V. Alessandroni, Frank Smith and Vincent A. Carroll, on June 15, 1950, to examine Elliott, was identified as being associated with the Municipal Court. Despite Elliott's hospital history, which dated back to February, 1937, when he suffered a skull injury in an automobile accident, Dr. Drayton's report did not bring out that fact, according to the lawyers. On the strength of his report, which was the only expert mental basis used during the trial, Elliott was sentenced to die in the electric chair on April 10, 1951. Dr. Drayton did not testify, and never was questioned concerning the scope of his examination.

Dixie Traditions Lived Up To By Courts, Governor

Bilked Husband Doomed After 1-Day Trial In Hate-Ridden S.C. Self-Defense Pleas Go Unheeded

COLUMBIA, S.C. — Smith Harvey, 40-year-old World War II veteran, died in the electric chair in the State Penitentiary here at 7 a.m., last Friday.

He had been convicted in a one-day trial on March 7, 1951 of murdering Aubrey Godley, 29, one of three white men he fatally shot on Lady's Island on the night of Feb. 17, and was sentenced to die on April 11.

The execution date was postponed to allow Harvey's attorneys to appeal the case, but the State Supreme Court in December refused to order a new trial for the veteran, although defense counsel argued that no motive for first-degree murder had ever been hinted at by the State.

Governor Shows No Mercy

After the death sentence had been pronounced, it was not deemed necessary to try Harvey for the slaying of the other two whites, Lonnie Godley, 24, Aubrey's brother; and Wilson L. McAlhaney, 21.

South Carolina's Gov. James Byrnes has twice denied pleas that he commute Harvey's sentence to life imprisonment. The requests had been made to him by ministers of Columbia and Beaufort, S.C.

The doomed man's story, as unfolded in testimony during his brief trial and appeal petition, is that he was returning to his Lady's Island home late on Feb. 17, with his shotgun, which he had been trying to sell, when he came upon an automobile containing four white men.

South Immoral Liaison

One of the men, Harvey stated, asked him where they could find some colored women for immoral purposes and when the veteran told them he didn't know, an argument ensued and the men started out of the car after him.

Fearing for his own life, the former soldier said, he began shooting; and when he stopped, three of the men lay fatally wounded and the fourth, W. G. Swain, cowered in the back seat of the car unharmed.

Harvey was arrested immediately and in less time than a month after the shooting—in the hat-ridden atmosphere of Beaufort County—was convicted of murder and sentenced to the chair.

Swain's Version Differs

Swain, the man that escaped the deadly hail of Harvey's shotgun blasts, gave a different version of the shooting.

He said that he and his trio of buddies were in a parked automobile singing when Harvey strode up and an argument began. He testified that his companions tried to get out of the car only after Harvey had leveled his shotgun at them.

Jealous Husband Angle

A third version of the shootings gleaned by an AFRO reporter who covered the trial in the racially-tense city of Columbia was that one of the white men had been going about with Harvey's wife, Mildred, and that Harvey had previously warned him to stay away from his house.

Some credence is given to this story because the shooting occurred less than 100 yards from Harvey's house and his wife hurridly left town immediately afterward, without returning for the trial or visiting the doomed man in jail or in the death house.

Harvey's chief counsel was Aaron Kravitch, white Savannah, Ga., attorney. The money for his defense fund was raised by the man's neighbors and friends throughout South Carolina.

Trial Held Unfair

Harvey, a native of Beaufort County, enjoyed a reputation as one of the best river men in this section. He was a crack marksman and belonged to a family which "doesn't bother anybody but doesn't take any foolishness," according to one prominent resident.

He was a member of the NAACP and the Port Royal Lodge of Masons here.

It was noted during Harvey's March 7 trial that the jury ignored evidence that the defendant acted in self-defense, and that the white men demanded that the war veteran find them colored women who would agree to consort with them in an after-midnight love making.

The jury further ignored the defendant's testimony that when he refused to do the white men's insulting request they came out of their darkened automobile and threatened to kill him.

Hoped For Prison Term

Hove for Harvey's acquittal was removed when Chief Defense Counsel Kravitch said in his summation he doubted that the islander had sufficient reason to have acted wholly in self-defense.

Kravitch pleaded only for a verdict less severe than execution, implying his readiness to accept a verdict of manslaughter, under which the court could have entered a two to 30-year sentence.

The prosecutor, Solicitor Randolph Murdaugh told the jury:

"The physical facts make impossible any belief in the defendant's story. He argued that Harvey, the first time this has happened in pursuit, shooting one of the three in the back of the neck, and the other while he was on his knees crawling under their automobile for safety.

Jury Representation

Two colored men served on the grand jury which indicted Harvey, the first timethis has happened locally. They were Joseph Wright, prominent mortician, and B. B. Barnwell, county farm agent.

Three other colored men were on the trial panel, but none served on the trial jury. George Lawton, a carpenter, was excused when he told the court he was opposed to capital punishment.

The jury found Harvey guilty of premeditated murder.

Attorney Kravitch bitterly indicted some aspects of justice as meted out to colored people by the dominant white majority in Dixie.

Plea For Justice Vain

In summing up for the defense, he made an eloquent plea to the jury for justice without racial prejudice, asking them to disregard all fears of criticism by the community if they showed mercy toward Harvey.

But his appeal had no effect upon the white jurors, as Mr. Kravitch resorted to every art of the skilled legal practitoner during his 39-minute closing argument.

"Harvey," he told them, "means nothing alone, but what you do can be a milestone in the administration of justice."

He concluded: "Do you sworn duty or else let your consciences be a small voice to plague you through all the nights ahead and may God have mercy on your soul."

nvocation Sacrilege

But the crest-fallen relatives and friends of the defendant who heard the defense attorney's invocation left no doubt by their faces that the invocation uttered in a building dedicated to justice, was in reality a sacrilege.

Strong evidence and the circumstances of the case proved that Harvey did fear for his life and fired at the three white men because of fear.

No evidence was produced to prove that he went after his tormentors with murder in his heart.

The court in instructions to the jury emphasized that self-defense was basis for acquittal, and that any reasonable doubt that the defendant acted in self-defense, believing that he was in mortal danger, must be resolved in his favor.



SLAYER AND WEAPON—Johnie Lee Settles, 31-year-old Negro tenant farmer of near Eads, yesterday confessed to Robert A. Ezzell Jr. and Rogers Kennon (right), State Bureau of Investigation agents, his role in Jan. 6 ax slaying of Irvin Bailey Morrisson. He showed the officers where he hid ax with which he slew Mr. Morrisson after confessing he and Grover Curtis Richardson, a brother-in-law, had robbed Mr. Morrisson in his Hickory Withe, Tenn., home. —Staff Photo

AX SLAYING IS SOLVED IN SECOND CONFESSION

Two Negro Brothers-In-Law Plead Guilty In Death Of I.B. Morrisson

The Jan. 6 ax slaying of Irvin Bailey Morrisson at Hickory Withe, Tenn., was declared solved following guilty pleas entered to a murder charge yesterday morning by two Negro brothers-in-law.

Robert A. Ezzell Jr. and Rogers Kennon, Tennessee Bureau of Investigation agents, said they first obtained a confession from Johnie Lee Settles, 31, then took Settles and Grover Curtis Richardson, 23, to Somerville for arraignment. The pair pleaded guilty before Squire W. H. Cocke about 9 a.m. and were returned to their County Jail cells to await trial.

Settles Confesses

Settles gave a confession in the before-dawn hours after his arrest by Sheriff's Deputies W. M. Hood and E. P. Goldsby, at request of the state agents. Richardson had previously admitted his guilt when Agents Ezzell and Kennon arrested him at Caruthersville, Mo., Monday. Richardson has also confessed his part with another Negro, Willie Leroy Becton, to the double murder Jan. 16 of Walter and Savannah Huler.

Settles had been suspected by the agents in the Morrisson murder, but Richardson insisted he alone slew the 69-year-old retired Arlington farmer in his home.

Finally, Richardson admitted Wednesday night that Settles had been present at the robbery-murder.

Richardson and Settles were permitted to talk freely to newspaper men after they had been arraigned. Both stated they voluntarily confessed and had been well treated by the agents, who had given them cigarets, coffee and malted milks at various times.

Richardson said they found $112 in Mr. Morrisson's wallet in the robbery. Richardson said his share was $87 and Settles said he took only $25. Richardson said he brought his "girl friend" at Caruthersville a $56 wrist watch. Settles said he spent his money on food for his wife and five children.

Witnesses At Confession

Mr. Ezzell and Mr. Kennon said Settles' confession was given to them at County Jail in the presence of George and Frank Bragg of Eads, and Sheriff Buck Graham and Deputy Neil Kee, both of Somerville. They said Settles told of the slaying as follows:

Settles had lived on the Bragg plantation since last December. A week after he moved there he learned Mr. Morrisson lived alone in his Fayette County home, that he was very wealthy and always had large sums of money with him or in his home.

Richardson went to visit Settles, who was married to Richardson's sister, the morning of Jan. 6, the first time he had been there for some weeks. The pair went to a Fayette County nonky-tonk about noon and had some drinks, then returned to Settles' home.

"I told him about Mr. Morrison's money and asked him if he wanted to go along with me and get it and he said he did," Settles continued. "We had supper and then walked over to Mr. Morrison's house, which was about four and one-half to five miles away. We got there at 8:30 to 9 o'clock. I knocked on the door and when Mr. Morrison answered I told him I was the one that had talked with him about that business the other day."

The agents said Mr. Morrison was accustomed to talk over business deals he might have with anyone who came to his place. He also permitted both whites and Negroes in the neighborhood to enter his home to watch television, as he had the only one in the immediate section.

Morrisson Opened Dood

Settles said Mr. Morrisson opened the door and let them inside. They told him they were after his money. Mr. Morrisson told the Negroes he only had a small amount on him at the time, just enough to pay his bills. Mr. Morrisson threw his bill fold at the Negroes and sat down on the side of the bed facing them.

Richardson had picked up an ax he spotted in the room and struck at Mr. Morrisson. The ax blade barely knicked his left shoulder and the handle broke.

"We told him we knew he had plenty of money and told him we were going to get it," Settles said. "Then he said, 'Nigger, that's all the money I got and you know you can't get away with this. Now get out of here.'"

Settles said while Mr. Morrisson was talking he picked up a second ax in the room and began striking the elderly Morrisson with the weapon.

Two blows with the ax butt landed just below Mr. Morrison's heart, one with the blade and another with the ax butt back of the head, and one with the but at the base of the heck. Three deep cuts on the left arm indicated Mr. Morrison was struck there while trying to ward off the blows.

Mr. Morrison screamed when Richardson struck the first blow, but uttered no other sound. Settles admitted striking all but the first blow.

Body Left On Floor

The dead man's body had slumped to the floor under the blows and the Negroes left it lying there when they departed. Richardson had admitted taking Mr. Morrison's ring and watch from atop the television set. They were found in his possession when the FBI agents arrested him at Caruthersville. Torn $500 and $100 Government bonds taken from the Morrison home also were found by the FBI agents at Richardson's home.

The Negroes said they left the light burning in the room, closed the outside door and returned to Settles' home. Settles threw the billfold into the burning stove. He brought along the tx he used in the slaying and hid it in a field in the rear of his home. Settles showed the FBI agents where the ax was hidden en route to be arraigned yesterday morning at Somerville. They brought it back with them as evidence.

Mr. Ezzell and Mr. Kennon said Richardson spoke to a 20-year-old brother at the Settles hime, wtrning him that "Crime doesn't pay. Don't you walk in my footsteps, but walk around 'em."

Alert Cop Gives Gag Murder Clue

Afro American P.1

Dat. 3-15-52

Eagle Eye Of Colored Officer Fingers Music Teacher's Killer

Baltimore, Md.

NASHVILLE

The capture of Alfred Brooks Jr., 23, on Friday in an uptown Nashville store wrote the sequel to the story that appeared on the front page of the AFRO-AMERICAN last week on the death of Miss Lucy B. White.

The AFRO story was prophetic in that it was written while local officers were debating whether the victim was murdered or died in a fire in her house Feb. 27.

Officer Robert B. Baker, who rides daily in a police squad car with his fellow colored officer, Herman Paskett, is the man who noticed one small detail that started members of the homicide squad looking for a murderer instead of accepting a death by fire decision.

In two confessions signed Friday, Alfred Brooks told officers that he had robbed the elderly, retired music teacher whom he gagged with a nylon stocking and left to die in a fire that he had set to her bed.

In his admission, the lad admitted robbing Miss White of $361 on Dec. 26. He was captured Friday about 8 a.m. in a five and dime store by store officials when they opened the store for business that morning.

Sought For Week

City Patrolman E. D. Searcy and Inspector F. W. Muller, called to the scene, carried Brooks to headquarters, where he made his confessions. Detective Raby had been searching for Brooks since the fire last week when officers decided (upon Officer Baker's noticing a gag) that the teacher had been murdered.

In the confession given to Assistant District Attorney Harry Nichols, Brooks gave a detailed account of the killing and arson according to officers who witnessed and heard the confession.

It was revealed that Brooks, a house painter, had done some painting for the victim, that she knew him and had paid him in cash for his work.

The lad has been charged with murder, arson, housebreaking and larceny at Miss White's home; assault with intent to kill one of the men who accosted him at the store and attempted larceny at the store. He was indicted by the grand jury on all five charges within an hour after his confession.

Afro-American

According to investigating officers, it is possible that additional charges of larceny will be placed against Brooks.

Caught Week After Fire

The capture of Brooks came a week and a few hours from the date of the fire on 14th Ave., when firemen called to investigate a three-house blaze were told that an occupant was trapped in the flames.

Sat. 3-15-52

Miss White was found in bed, her body charred, with a severe wound at the base of her skull.

Firemen and police officers probed for hours after the flame had been extinguished, but could find no indications that night of the manner in which the fire had started.

Because of the two burglaries, one in November of $71 and the other in December of $361, officers feared foul play in connection with the fire. Some, however, believed that Miss White had been injured in trying to escape from the holocaust.

Was Victim's Neighbor

Capture of the lad, who lived one block behind the music teacher's home, wrote a final chapter in the gruesome and shocking story and solved the mystery that had lasted for a week.

One bright note was struck in the life of Miss White and the sombre symphony of her last four months when a soldier who was overseas heard about her first robbery, sent her a piece of money in sympathy and promised to write her again and send more.

Earlier in the week relatives, friends gathered at Gay-Lea Christian Fellowship Church to pay a final tribute to the frail little lady who lived quietly at her home; a home in which terror and tragedy came again and again.

The services were not lengthy but were impressive.

The Revs. Oliver Thompson, Lawrence E. Hall, A. M. Townsend and R. C. Molloy paid fitting tributes to the woman who had been one of Nashville's most respected citizens. The choir sang two selections, "Leaning On Jesus" and "My Faith Looks Up to Thee" and a solo, "Going Home," was sung by Mrs. Moses Alley.

Miss White received her early training in the local public schools and studied vocal and instrumental music at Fisk University. Early in life, she became a member of Gay Street Church and sang in its choir for many years.

Music Teacher 50 Years

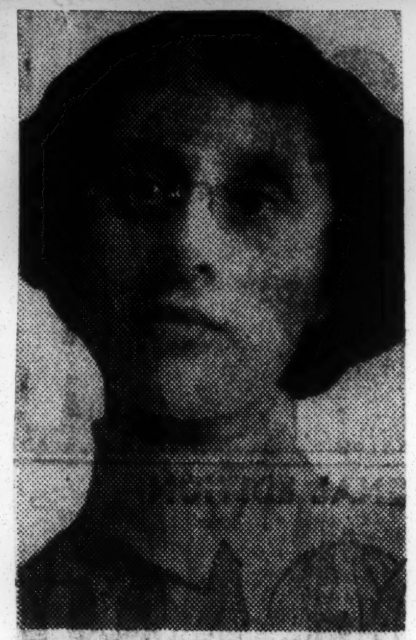
She was a charter member of the Nashville Fisk Club and a teacher here for more than 50 years.

Surviving are a brother, George S. White; an uncle, Ulysses S. Bowling of Louisville, Ky., and five cousins, Mrs. Maggie E. Terry, David Howard, and Mrs. Annie Williams and George White, all of Nashville; Felix S. White, Cleveland, Ohio; Mrs. Jimmie B. Bowan, and Dr. James R. White, Chicago, and Charles B. Bell of New Orleans.

Funeral services were under the direction of the W. H. McGavock Co. and interment was in Greenwood Cemetery.



OFFICER ROBERT BAKER
He fingered nylon fire murderer



Here's early photo of Miss Lucy B. White, 60-year-old musis teacher of Nashville, Tenn., who was found dead in mysterious fire in her home. Accompanying story tells how alert colored policeman found clue which led to arrest on Friday of her killer.



ALFRED BROOKS JR.
He confessed brutal nylon murder

Thousands Pay Final Tribute To Slain Policeman Jackson

CHATTANOOGA, Tenn. — (SNS) Ulysses Jackson of 1004 West 10th Street, a member of the Chattanooga police force since January 16, 1951, was assassinated by one Elverce Harris, who is said to have been living with a half-brother at 922 Central Avenue, Saturday, September 27 at about 1:10 a. m., at the Martin Filling Station on West 9th at Cedar Street.

Jackson was loved and respected by the police department from the Commissioner down through the ranks. What provoked the trouble started in a restaurant at the corner of Poplar and 9th St., when Harris, according to a statement of Reba Moore, a dishwasher at the said restaurant, was threatening to cut her. She fled and Harris pursued her. Jackson, the policeman, accosted them at the filling station where the killing took place.

The news of the brutal slaying of Jackson by one Elverce Harris started the most extensive manhunt in recent history of Chattanooga by the police department and other interested citizens.

When Commissioner Roy Hyatt of the Fire and Police Department was notified at 1:15 a. m. Saturday that Jackson had been killed, he rushed to the City Hall and personally took over the supervision of the search for the wanted killer. He summoned many off-duty policemen and others volunteered their services.

Jackson patrolled the West 9th St. tough section from 12 midnight until 8 a. m., the next morning. The search for the killer produced a bee hive of activity throughout the west side. Hundreds of people got out of their beds to aid the police department in their search for the man who killed one of the best men in the police department.

Policemen are said to have found out the wanted man's name through the girl that he threatened to kill in the restaurant and who, incidentally, said she stood at a distance and watched the fight between Harris and Jackson and the ultimate killing of Jackson by Harris.



ULYSSES JACKSON

Harris is alleged to have shot Jackson through the head five times at close range after Jackson had been tripped by Harris and fell to the concrete. Some of the bystanders felt that his head hit the concrete which partially knocked him out. In the struggle, Harris disarmed Jackson of his pistol and that is what he killed him with.

The extensive hunt for the slayer of Jackson came to a dramatic end when Harris was located near the corner of East 10th St., and Central Avenue by two policemen, namely, B. C. Sehorne and Randall Rich, who had been dispatched to the Central Avenue address and armed with riot guns and told to keep the house covered until 7 a. m., next morning, if need be. At about 3:15 a. m. the officers were said to have heard footsteps coming in their direction. When Harris came close enough, the officer ordered him to halt, and throw up his hands and announced that he was a policeman. Harris' forehead was supposed to have been bleeding from an attack by slapjack administered by Jackson during the fight.

When the officer asked the man what his name was, he is alleged to have said "Johnson," The officer said he was certain he had the right man but asked for identification. Harris is said to have gone in his pocket to get a wallet. He started running and policeman Sehorne started shooting. Within a few split seconds Harris was gone to never return again.

Thus, in less than 3 hours after he had brutally slain Policeman Jackson, he paid with his own life. The police department, and particularly Capt. Walker, is being complimented by the colored citizenry of Chattanooga for their swift and effective work in tracking down the brutal killer of Jackson.

Wanted For Murder; Surrendered By Dad

MEMPHIS, Tenn. — (SNS) — Manuel Lee, 65, 831 Henderson, walked into the Homicide Bureau at Police Headquarters, Tuesday holding the arm of his son Robert Lee, 37, of 828 S. Lauderdale and surrendered him to Memphis police to stand trial on a murder charge.

"Here he is," was the only comment of the father as he shoved his son into a chair beside the desk of Lt. W. W. Davis.

Deputy Inspector W. W. Wilkinson and Lt. R. I. Finch said Manuel Lee, unknown to police, went to Chicago, got his son and brought him back to Memphis to stand trial.

Robert Lee had been sought by Memphis police since August 3, 1952 in connection with the slaying of Paris Webb, 40, of 568 Broadway, in front of the Savoy Cafe. It is charged that Lee beat Webb to death with a shotgun following an argument.

Deputy Wilkerson said Lee fled to Chicago after the slaying. When Manuel Lee learned of the murder charge, police say, he went in search of his son.

"I knew police wanted my son and I thought it wise to get him into the hands of the law before he got into more trouble or got shot resisting arrest," Manuel Lee was quoted as saying.

Robert Lee has not confessed to the slaying of Webb. He will be arraigned in City Court tomorrow on a murder charge.

Deputy Inspector Wilkinson said Robert Lee is also wanted in Marion Arkansas, in connection with the theft of some government checks. Manuel Lee, who owns a farm in Arkansas, told police he had "tried to keep my son in the narrow path, but he wouldn't stay on the farm."

Homicide detectives said there have been 42 homicides in Memphis this year and the arrest of Robert Lee leaves all homicides on their 1952 records solved.

13c 1952

Legal Sentence (Tennessee)

TWO NEGROES INDICTED

First Degree Murder Charged By Grand Jury

Grover Curtis Richardson and Willie Leroy Becton, Negroes, were named in two joint indictments by the Shelby County Grand Jury yesterday, charging them with murder in the first degree and murder in perpetration of a robbery.

The indictments grew out of the double torture slaying of Walter Hulon and Savannah Hulon, Ellendane Negroes, Jan. 16. Richardson was arrested Jan. 21 at Caruthersville, Mo., by agents of the Tennessee Bureau of Investigation, and confessed to the Shelby County killings and to the murder of Irvin Bailey Morrisson at Hickory Withe, Tenn., Jan. 8.

Becton was arrested shortly afterward by Shelby County deputies.

Three Negroes, who deputies said aided Richardson in carrying furniture stolen from the Hulon home to Caruthersville, were held to the state as material witnesses yesterday in the Court of General Sessions. They were Henry Allen Jr., 19, of 737 Allen; Willie Ammons Jr., 17, Caruthrsville, and Leory Barnes, 17, Havti, Mo.

Slays White, White Jury Acquits Him

KNOXVILLE—An all-white Knox County Criminal Court jury last week acquitted a Knoxville student-porter of murder in the knife-slaying of a white man.

Freed was 24-year-old Clarence William Darden, a porter at a diner near the University of Tennessee campus in West Knoxville.

His victim was Charles William "Bill" Bradford, 35-year-old waiter-short order cook at the diner. The slaying occurred last Thanksgiving.

Darden claimed self-defense, said Bradford was the aggressor with a meat cleaver at the climax to a friendly argument. Bradford died instantly from a butcher knife wound in his lower back.

Darden came here from Atlanta, his former home. At the time he was a student at a tailoring school.

Julius White Claims Police Were Abusive

HOUSTON — Julius White, 2620 Tuam, owner of Julius' Drive Inn on Lockwood Drive, told reporters that a Mexican officer, who was supposedly making a raid on a residence, 5507 Margaita, (where a going away party was being given for a Leroy Moore who has since been inducted into service) called them niggers, and used general abusive language.

Mr. White also said that when they arrived at the police station they were told to remove their hats. while a white man who was being booked for drunkeness wasn't told or even asked to remove his. Outside of these humiliations according to Mr. White, they were treated quite civilized.

Mr. White said that the Mexican officer picked on Mr. Moody before they left the house, saying that he was "drunk and better learn how to talk to him" I don't know what right a Mexican has calling anybody nigger," Mr. White said when he was contacted by reporters. He also said that the Mexcan officer said (in reference to him) "That big fat nigger got enough money to pay all the fines."

Mr. White told reporters that he does not understand why they were charged with consuming because the party was private and at a residence. He said that he has engaged an attorney and the trial is set for 10 p.m. December 24.

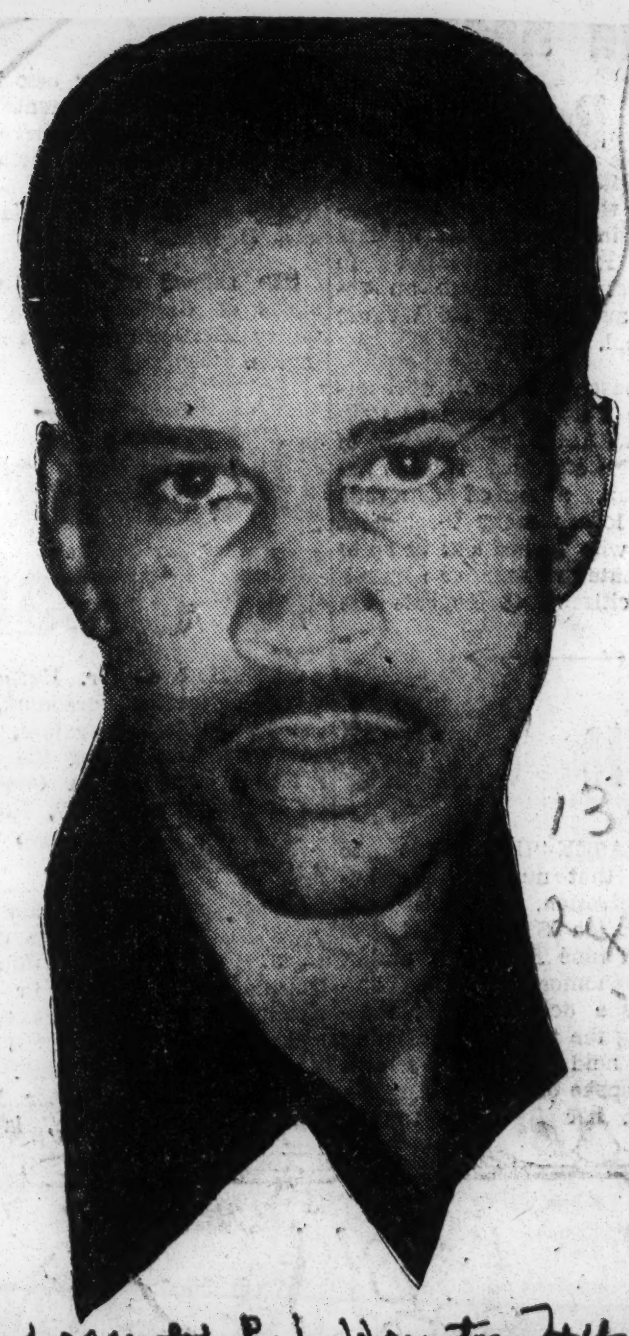
Woman Was Knocked Down, Man Reports

BULETIN

Officer Daniel of the Park Patrol, when contacted by reporters about 7 p.m. Monday, said, "I don't know anything about it. That's them other boys." When asked what their names were, he said, "They'll be around here later; See them."

HOUSTON — George Reedy, whose address was withheld by request told reporters that he witnessed the knocking down and slapping of a woman whose name is unknown and the rough treatment of her stabbed brother by a police officer known as preacher, early Sunday morning. He also said that other officers involved were Officer Daniel of the Park Patrol and Officer Sam Lowe.

Mr. Reedy told reporters that the woman who was slapped and her wounded brother were riding in a car which ran a stop sign at the corner of Dowling and Elgin and bumped into the rear of another car. He said that the officers who were then waiting for the patrol wagon to pick up a drunk man, stopped the car and ordered the driver and the passenger out of the car. Reedy continued that the driver of the car told the officer that he was taking his wounded brother- in- law to the hospital. He said that the officers called an ambulance and then made the people wait. When the ambulance arrived, the stabbed man refused to go to the hospital without his sister. At this point the woman was knocked down by the officer called Prechter, according to Mr. Reedy. Reedy continued that her husband, the driver, picked her up and the same officer slapped her.



MANHANDLED.— "Although suffering loss of blood from a stab wound in the back, a knife wound that penetrated one lung, I was manhandled by an officer called "Preacher" because I objected to his calling my sister a B---', slapping her face and twisting her arm. I went to her rescue when he knocked her down. I got a flashlight whipping for my trouble" Horace Allison told Informer reporters who called on him at his home.

Slapped Woman Comes To The Informer Office

HOUSTON — Miss Ethel Allison, lovely Texas Southern university co-ed, came to the Informer newspaper Saturday and told reporters that on November 16, an officer known only as "Preacher" knocked her down, manhandled her, used abusive language toward her, called her a B--- and used brute force in throwing her brother Horace Allison, who was suffering from a serious stab wound into an ambulance. She further stated that they were the people involved in the incident reported to Informer reporter by George Reedy.

Miss Allison also said that the officers accused her of being drunk and took her to jail where she was held for four hours before she was permitted to use the telephone. She said "I was not drunk, I was sober, all I wanted to do was go to the hospital with my brother."

Horace Allison, in an interview at his home, said that he was stabbed by a person unknown to him in front of Jeff's Drive Inn on the Super highway. His sister and a former brother-in-law were taking him to the hospital when their car struck the rear of another car on the corner of Dowling and Elgin. He said that the officers ordered everyone out of the car and when his sister explained that she was trying to get her brother to the hospital, one of the officers told her "You ain't going no d-- where."

According to Mr. Allison, when the ambulance and white officers arrived, the colored officers "really got tough." He said that one of the officers accused his brother-in-law of being drunk, but one of the white officers said "he's not drunk he's just trying to get his brother-in-law to the hospital."

Allison said that as he was getting into the ambulance, he heard the officer called "Preacher" use abusive language toward his sister, calling her a b---- and when he got out to protest, the officer hit him with a flashlight then threw him into the ambulance. He showed reporters a scar on his right



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Informer Sat. 11-29-52

KNOCKED ME DOWN.—"A Negro policeman whom by standers called "Preacher" slapped my face, twisted my arm, slammed me against a car, then knocked me down," Miss Ethel Allison told INFORMER reporters Saturday when she came to the office to make a statement for publication. "He also called me vile names" she said.

shoulder which he said was a result of his mishandling and reported sore ribs from the flashlight beating.

Mr. Allison said that the doctors at the hospital inquired whether he had been hit because of pains in his side, he told them about the incident with the police.

"When we struck the car, an officer got out of it with his gun drawn and asked us 'Where in the hell you going' "? That statement was made by Miss Allison, who said that while she was being abused an officer held a gun in the face of the driver. She said that she would be able to recognie the officers who were involved if she see them again, however she does not know any of them by name, other than that the one abusing her was called "Preacher".

Officer Harrell who was identified as the one called Preacher by a witness whose name the Informer is withholding, when contacted concerning the incident Sunday morning said ::I don't know anything about it." When a reporter gave him the statement of Miss Allison, he asked.

"What's the woman's name?" "Who gave you my name"? "What's your name' I suggest that you see the chief of police about it. Now I am going to church. goodbye."

13c 1952

Texas

Negroes Commit 67 Out of 100 Homicides In Houston-Dr. Bullock

HOUSTON — Sixty seven out of every 100 homicides committed in Houston during a five-year period were by Negroes against Negroes and a majority of the victims of both Negro men and Negro women homicidals were Negro men, Dr. H. A. Bullock, head of the Department of Sociology at Texas Southern university, pointed out during his address on "Intent to Kill" before a Hester House audience recently.

The statistics were part of a study directed by Dr. Bullock on "Elements of Homicides in Houston" for the five-year period of 1945 through 1949.

The elements included four main points: What is the problem, Who are the people involved, What are the weapons and what are the causes.

Shows Pictures

With the aid of a movie projector, and scales drawn up by members of the Art Department of TSU, Dr. Bullock pointed out factors that contribute to the commission of homicides, the type of people expected to resort to crime, the persons who become victims, the age bracket of frequency of commission, the relation of sex to commission, and he influence of population to commission.

Without attempting to give the full answer to causes. Dr. Bullock named poor housing as contributory to the commission of homicides in Houston and "all large cities." He said that the recent newspaper reports, naming Houston as third in the commission of homicides was alarming to some, but that in all large cities in the United States the study showed that only about 9,000 meet death at the hands of assailants.

The study showed that from 1945 through 1949 Negro cases of homicides totaled 64 per cent or 64 out of every 100 killed were Negroes. Whites numbered 23 pr cent or 23 out of the 100 killed, and the other 13 per cent were people of other races.

Who Kills

Persons expected to commit homicide are those below the line of a normal or average citizen, Dr. Bullock pointed out on the movie projected chart. On the line were the people who keep within the law without any emotional reaction, or those with indifference, "neither admiring nor condemning" the law. Those above the line indicate the community leaders who adhere to high moral laws. Reformers are found in this class, Dr. Bullock said.

The criminal is found among the people who "pull down from the line," or those whose attitudes are out of the range of the law, or what is against what is law. The homicidals are found here.

The population influence has to do with whether or not individuals "multiply up or pull down" to the criminal status, the study showed.

The most frequent homicides involve the Negro element in the city, Dr. Bullock found out. In Houston 67 per cent of the homicides committed are by Negroes on Negroes, he said. The assailents are Negroes and the victims are mainly Negro men, he said. White women victims number next to Negro men, and no Mexican female victims were found in the five-year survey.

Most Likely

White male victims number 81 per cent, and white women victims Whites numbered 23 per cent or 23 white women are named as the most likely victims, according to race, and Mexican women the least likely victims, according to race. The study showed that Negro women victims number 83 out of a hundred homicides committed in the five-year period.

According to Dr. Bullock, the problem is intra-racial rather than interracial. The white assailant kills mainly white victims, a total of 98 per cent out of a hundred reported, and Mexicans kill mainly Mexicans. 98 out of the hundred for the five-year period. Negroes also kill 98 out of the hundrd reported killed, and whites kill 6 per cent of the Negro victims.

The most likely ages of an assailant range between the years of 20 and 24. About 6 per cent of Negro homicidals commit their crimes at the age of 20. The average age of Negro homicidals is 31 and the average age of white homicidals is 33.

Out of the weapons used to commit homicides, 47 out of a hundred is pistols. Knives number the next highest.

By a scale, projected by the movie, Dr. Bullock showed where in Houston homicides are most likely to occur. In the Negro communities the scale showed that Fifth Ward, Fourth Ward, Third Ward, in the order noted, and Negro downtown areas are affected most frequently.

Arguments Blamed

In most instances an argument leads to the killing, Dr. Bullock said. To show how trivial the fatal argument might be, Dr. Bullock cited several cases that occurred in a five—year period. Among them he named the case of the man who was killed in an argument over chilli; the argument over a Yates High school football game which led to a killing; an argument over how shrimp should be cleaned and several others. He presented a movie short showing how trivial arguments lead to killings in taverns.

The actors were students in sociology who have had no special training in dramatics, but whose performances were convincing, nevertheless.

The housing conditions and the degree of the training of the mind were listed by Dr. Bullock as "closely associated with homicides." He found that the larger number of Boy and Girl Scouts there is in an area, the lower the reports of homicides, and that the need of repair on houses is in the Negro population, which includes both dwelling houses and business places.

He said that the "extent of the City's bigness and ability to gather into its walls" which will brake the individual influence one person has over the other, is the extent of which homicides will disappear in the city.

Negro To Die For Death Of White Man Caught In Bed With Wife

AUSTIN, Tex., June 30—Only the U. S. Supreme court or a possible new trial can save the life of Booker T. Reed, Dallas Negro doomed to die in the electric chair June 21.

Reed killed a white man, semi-nude in bed with Reed's wife in a cabin. For this he has been found guilty of first degree murder. Reed killed his vicitim with an ax.

At the beginning of the case, Reed's sister engaged a white attorney, but his lawyer suffered a heart attack. Before he recovered, the case was called to trial immediately. The court appointed an attorney to defend Reed, and he was convicted.

Members of the white bar association in Dallas heard of the case, and appointed a representative to file an appeal.

Most recent court to deny Reed a write of appeal was the Court of Criminal Appeals.

Killed White Man Caught in Bed With Wife, Husband Held

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1951.

Lovelace was slain in the bedroom of Reed's cabin on June 9, 1951.

Smoot Schmid, member of the pardons board, said the latest recommendation resulted from a letter to the board written by George Clifton Edwards, an attorney representing Reed.

Ninth Reprieve To Booker Reed

Oct. 28 Is New Execution Date

AUSTIN, Texas — Booker T. Reed, on the eve of his eighth date with the electric chair, Wednesday was granted a ninth stay of execution.

The 47-day reprieve makes Oct. 28 the new execution date for the Dallas Negro, who was convicted of the ax murder of Boyt Adrian Lovelace, an Irving white man.

A statement from Gov. Allan Shivers' office said the latest stay of execution was recommended by the Board of Pardons and Paroles in order to give the United States Supreme Court an "opportunity to review the case if it wishes."

The Reed case is on the Supreme Court's docket on application for a writ of certiorari, but the court is in vacation recess until the first Monday in October.

Lawyers representing Reed have argued he was denied his constitutional right to be represented by the attorney of his choice when he was tried at Dallas in July.

Says Race Paramour Was Cheating Despite Pact to 'Go Steady'

ALEXANDRIA, Va.—In Alexandria City Civil and Police Court last week, Judge H. M. Kennedy ordered a white woman, Mrs. Eleanor Virginia Wellborn, 34, held on a first-degree murder charge in the slaying last Thursday of a Negro, Russell Bundy, 34, of Fredericksburg, Va.

Mrs. Wellborn, a heavy-set, stocky brunette with a pretty round face and flashing black eyes, will be presented to the December term of the grand jury when it convenes next week.

Also held without bail as a material witness in the case is another white woman, Mrs. Mary M. Purks, 52, of Woodbridge, Va. Mrs. Purks is the only eyewitness of the murder.

* * *

ACCORDING TO Detective Capt. Thomas Woods of the Alexandria police, Bundy had been "passing" as a white man and had not associated with Negroes.

"He used to hang around Alexandria a lot," Woods stated. "I once asked him if he was a Negro and he said, 'No, I am half-Italian.' Saw no reason to bother him any further, so I never went into the subject again.

According to Woods, Bundy met Mrs. Parks, with whom he was acquainted, Thursday morning in a diner in Woodbridge, Va. He invited Mrs. Purks to go riding with him.

On the way they stopped in Franconia, Va., and picked up Bundy's "girl friend," Mrs. Wellborn, who was employed as a housekeeper and always had Thursdays off.

* * *

THEY DROVE to Alexandria where Bundy purchased three pints of bourbon whisky in a State ABC store. The trio sat in his car in a parking lot drinking whisky and debating how to spend the rest of the day.

Mrs. Wellborn, according to Mrs. Purks, asked Bundy for a match for her cigarette. Bundy opened the cabinet of his car to take out matches. Mrs. Wellborn spied a loaded .32-calibre revolver. She grabbed the gun and fired one shot into Bundy's head, killing him instantly.

Throwing the gun away she sped away on foot from the car accompanied by Mrs. Purks. Attendants in the parking lot where the car was parked notified police who put out a city-wide alarm for the pair.

* * *

SOME TWELVE blocks away, a cab driver, Grant Lambert, spied the pair racing along King Street. Lambert, who had heard the police alarm, quickly phoned police headquarters and the pair were intercepted within ten minutes by a squad car.

In her statement, Mrs. Wellborn said: "He was cheating. He wasn't fair with me. I kept my promise to go steady with him, but he didn't keep his promise. He was just playing with me. He didn't do the right thing by me."

Mrs. Wellborn's bonds were set at $1,000. Police explained that the bond was such a low amount because Mrs. Wellborn "isn't going anywhere."

Bundy's body was claimed by a Negro undertaker from Fredericksburg, who told police that Bundy's relatives would bury him.

Bundy worked as a construction laborer, earning weekly wages of $65-$75.

Cleric's Torch Death Remains A Mystery

NORFOLK, Va. (ANP) — The most gruesome street-torch death in the history of Norfolk is still a mystery with police and citizens 18 months after its occurrence. The victim was the late Rev. J. H. Mann, then pastor of Union Congregational Christian uhurch.

Norfolk police began their investigation immediately after the minister was discovered covered with burning gasoline lying on the sidewalk in front of 739 Roswell ave. a little after 10 p.m., May 26, 1951.

Race Hatred Angle Hinted

The minister allegedly told police that two white men forced him at gun point to get in their car and accompany them to the 500 block of Roswell ave. because they had a "job" they wanted him to help them do.

There was some report also that they wanted to run some colored residents out of the Brambleton section which in the last two years has been invaded by colored families as white residents have left the area.

Circulation of the report about two white men as possible perpetrators of the burning led some northern newspapers and Communist organizations to associate race hatred and bad feeling among the two races here with the incident.

In recent weeks statements have appeared in print attributing the Rev. Mr. Mann's burning to Klan elements in the South, and particularly in Norfolk. The opposition to two families moving into the 1600 block of Indian River rd. here last summer has likewise been linked with racial hatred in Norfolk.

Slaying Occurred In Car 3 Occupied

Careless Victim Opened Glove Compartment Containing Pistol

ALEXANDRIA, Va.—A 34-year-old white woman was ordered held without bond for the grand jury, Friday, in the fatal 'love triangle' shooting of Russell Bundy, 34, as he sat in a car with her and another white matron in an Alexandria parking lot, Thursday afternoon.

"I killed him. I meant to. I loved him and he did me wrong," the white matron, Mrs. Eleanor Wellborn of Franconia, Va., was quoted by police as saying.

The other white woman, Mrs. Mary M. Purks, 52, of Woodbridge, was held in $1,000 bond as a material witness.

Described as very fair, with handsome features, straight dark hair and dark hazel eyes, Bundy was the husband of the former Miss Rebecca Grimes of Fredericksburg and father of a 10-year-old daughter.

'Kindest Man'

"He was the kindest man I'd ever seen," his mother-in-law, Mrs. Rebecca Grimes of Fredericksburg, told the AFRO on Friday. "He was a hard-working man and he drank very seldom and never missed a day from work.

"My daughter's so broken up over it she just sits and says nothing."

Mrs. Grimes said that Alexandria police did not know Bundy's race until she asked them over the telephone a couple of hours after the shooting if they knew he was colored.

She had been informed of the fatality by her brother, Al Weathers of Mayfield, Va., who had been notified by police.

Norman Bernheimer of Alexandria, attorney for Mrs. Wellborn, told the AFRO that he did not know if his client knew Bundy's race.

Didn't Know Race?

"I don't know if she knew and I don't know if the other girl friend knew, either," he stated.

"It's a most unfortunate thing and an unusual situation when a man takes his ex-girlfriend on a ride with his present girlfriend. I understand Mrs. Wellborn was pretty intoxicated."

Alexandria police said that Mrs. Wellborn was in a dazed condition and unable to give a coherent account of what happened when she was arrested at King and Pitt sts., shortly after the shooting.

According to police, the events which led up to the slaying were as follows:

Bundy, who had been known to Mrs. Purks under the name of "Jimmie Jones" for about a month, met her Thursday at about 11 a.m. in the Shirley Diner at Woodbridge, where he was en route to Franconia to meet Mrs. Wellborn, whom he had known for a year.

'Made Up Mind'

At first reluctant to accompany Mrs. Purks and Bundy to Alexandria, Mrs. Wellborn finally decided to go with them.

"I had made up my mind to kill him," she reportedly told police.

In Alexandria the trio drove to a parking lot near a liquor store where Bundy bought two pints of whiskey. He and Mrs. Wellborn drank a half bottle each during the three hours they sat in the car, Mrs. Purks was quoted as saying.

The shooting was described as occurring after Mrs. Wellborn had asked Bundy for a match and he reached into his glove compartment.

A .32-calibre revolver was in the compartment and Mrs. Wellborn reportedly grabbed it and shot Bundy in the forehead.

Covered With Blood

Mrs. Purks was described as sitting between Mrs. Wellborn and Bundy. The wounded man slumped over on her lap, which was immediately covered with blood, as Mrs. Wellborn ran from the car.

Police, rushing to the scene, broadcast a lookout for Mrs. Wellborn, which was also relayed by the City Cab Company to its taxi cabs.

A driver named Grant Lambert heard the lookout and saw Mrs. Wellborn walking down King st. notified police and trailed her until she was apprehended by Pvt. Allen Glass.

Meanwhile, Bundy was taken to Alexandria hospital, where he was pronounced dead on arrival.

Race Not Apparent

According to an Alexandria police officer who preferred not to be identified, Bundy's race "wasn't apparent, either to police or to the doctor."

The officer added that the slain man was known as colored at the American Viscose Corp. in Fredericksburg, where he worked as a machine operator.

S. H. Hale, funeral director and manager of the Kay funeral home in Fredericksburg, said that the body had been taken to Fredericksburg from Alexandria, Thursday night.

Last rites were held 2 p.m., Sunday, at the Loreta Baptist church in Essex county, where Bundy was born. Burial was in the family burial-ground in Essex county, with the Rev. E. Warfield officiating.

Survivors, in addition to Bundy's wife, daughter, and mother-in-law, include:

His mother, Mrs. Lelia Bundy of Fredericksburg; four sisters, Mrs. Fannie Brooks of Ft. Wayne, Ind.; Mrs. Martha Kay and Miss Phyllis Bundy, both of Fredericksburg; and Mrs. Lelia Fortune of Newark, N.J.; and four brothers, Louis of Philadelphia, William and Thomas of Fredericksburg, and Roy of Ft. Bragg, N.C.

A Lawyer For Every Defendant

THE case of Silas Rogers, Negro, who was released from prison Dec. 22 after serving nine years in the Virginia Penitentiary for a crime he did not commit, demonstrates the continuing need for protecting the rights of the defendant in criminal cases.

Rogers was first sentenced to death on circumstantial evidence for killing a policeman. The Negro, a hobo just off a train which he had boarded in Florida, was picked up near the scene of the slaying. The jury that convicted Rogers returned what seemed to be a sound verdict in view of the evidence. But it didn't have all the evidence.

Spurred by *The Richmond News Leader*, intensive investigation uncovered evidence sufficient to prove that it was mathematically impossible for the Negro to have been the killer. Gov. John Battle finally ended the imprisonment of the innocent man two days before Christmas with a full pardon. *The News Leader* commented:

> The wheels of justice grind slowly; they grind exceeding fine; usually they grind surely. But in the case of Silas Rogers . . . they missed—and ground up, instead, nine years from the life of an innocent man.

No one who has watched courts in action can deny that this happens with some frequency. Try as they might, juries cannot be infallible. Witnesses err. Few trials ever reveal "all the evidence," because police are not omniscient.

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WHEN a crime is committed, the vast powers of the law are put into motion to find the transgressor and punish him. The defendant has no such resources at his command. Usually, since crime can so often be traced to poverty, he does not have even the money to hire a lawyer to protect him. He has only the constitutional guarantees of a fair trial and a system of laws which says that the defendant is presumed innocent and that society must prove beyond all reasonable doubt that he is guilty.

That's what the law says. But even with the most dispassionate judges—which, as Justice Jackson has pointed out, is often a myth since judges are not divine—the defendant can't cope with experienced prosecutors and police without approximately equal legal experience on his side.

True, there are loopholes in the law, which permit guilty men to squeeze through, aided and abetted by sharp lawyers. There will always be such loopholes unless the law is written as it is in Russia or as it was in Nazi Germany. To the age-old hue and cry that the loopholes be plugged, which is to say substituting a presumption of guilt for a presumption of innocence, Justice Holmes has answered that it is far better that a hundred guilty men shall go free than that one innocent man shall be punished.

If this is not the philosophy of our freedom, our freedom is in danger.

To help insure against the occurences of future Silas Rogerses, future Saccos and Vanzettis, and all the numberless cases which never receive publicity, society must provide legal protection for the accused.

★

THAT protection is now being denied in a great measure in Alabama, in Montgomery. Only if he is charged with a crime punishable by death is a defendant in Alabama assured of having a lawyer to defend him. Even then he is not assured of an experienced criminal lawyer to match the legal ability of the prosecution.

All over the country, responsible lawyers are recognizing this evil. The American Bar Association has done extensive work promoting legal aid societies in many cities to provide attorneys to help the accused present his case to a jury. Many cities have set up "public defender" offices, equal in rank, pay, and prestige to the public prosecutor's office. These cities have recognized their social duty to protect the defendant as well as society.

The Alabama Bar Association has initiated an inquiry into legal aid. We hope our lawyers will work speedily. Every day that passes finds defendants in our courts, some of them innocent, hopelessly bewildered by the grinding wheel of justice descending on them.

Modern studies in criminology have revealed much evidence that rehabilitation of offenders is greatly enhanced when the convicted man knows he has had a fair shake. Haphazard justice has created nothing but contempt for the law.

13c 1952

Virginia

Tappahannock Jury Will Get Roy Case Today

Testimony Completed In November Slaying

Times-Dispatch Staff Writer

TAPPAHANNOCK, Feb. 21—Testimony in the trial of Fred D Roy, a Negro charged with murder in the death of Thomas H Lee, Essex County merchant, ended in Circuit Court here late this afternoon.

Roy, a 39-year-old resident of Desha, in Essex County, was arrested January 15 with his brother, Alexander Roy, 36, who is being held for trial on a charge of aiding and abetting in the slaying.

Judge E. Hugh Smith said the 12-man jury, which includes two Negroes, would getthe case after instructions tomorrow morning.

Lee died from a rifle bullet wound he received while in the back yard of his Kino, Va., home the night of November 28.

The merchant was conversing with his wife and son in the living room of his combination general store and home when rifle bullets were suddenly fired into the house, lodging in the weather stripping around a window.

Indicted January 22

The 64-year-old man grabbed a rifle and flashlight and ran into his back yard to investigate. The light furnished a perfect mark for the killer—hidden in near-by trees—and Lee was shot in the stomach, dying within 10 minutes, investigators said.

The Roy brothers were arrested after nearly two months of subsequent work by State Police Investigator L. B. Barston, Essex County Sheriff S. S. Newbill and others. They were indicted by a grand jury here January 22.

Fred Roy took the stand in his own defense this morning and swore he had not owned the .22 caliber rifle, claimed by the prosecution to have been the weapon with which Lee was killed. Previous testimony claimed that the gun had been sold to Roy.

Two of Roy's neighbors at Desha, Robert Holmes and Charlie Young, said under questioning by Defense Attorney Howard H. Carwile, of Richmond, that lights were on that night in Roy's home, a mile and a half from the scene of the shooting.

Earlier in the three-day trial, Commonwealth's Attorney E. L. Carlton put Marston and a ballistics expert from the Federal Bureau of Investigation on the stand.

Rifle Found at Scene

Marston said he found the rifle used in the killing near the home of Mary Roy, sister-in-law of the accused man. Marston testified he also found used shells from the rifle at the scene of the killing.

The FBI agent, Robert M. Zimmers, testified that the bullet taken from Lee's body and the bullets found imbeded in weather-stripping had been fired from the rifle which the prosecution contends was owned by Roy. He also said the shells were from the same gun.

Priscilla Sales, a defense witness, was last to take the stand. She replied "yes" to a question, objected to by Carwile, of whether she had heard Roy say that he sold a rifle the night of the shooting.

After conclusion of the court room proceedings today, Judge Smith heard arguments by the attorneys and prepared instructions for the jury, scheduled to reconvene at 10 A. M. tomorrow.



—Staff Photo

Fred D. Roy (left) and Defense Attorney Howard Carwile Accused Man, Counsel Confer During Murder Trial Recess



Associated Press Wirephoto

SILAS ROGERS

. . . surveys world without bars

Editor's Work Frees Man in 1943 Murder

RICHMOND, Dec. 23 (AP).—Silas Rogers, 30, once sentenced to death for slaying a policeman, walked out of prison with a full pardon today because a reporter at his trial nearly 10 years ago refused to believe him guilty.

Gov. John S. Battle granted Rogers a pardon after a hearing on new evidence gathered by Editor Jack Kilpatrick of the Richmond News-Leader.

Battle said he is convinced Rogers was convicted of the 1943 slaying of Officer R. B. Hatchell on perjured testimony.

Kilpatrick, a reporter at the trial, began digging into the case anew in 1950 after he succeeded Historian Douglas Southall Freeman as editor.

Hatchell was shot to death in Petersburg, after he and Officer W. M. Jolly chased a car answering the description of a vehicle stolen in Raleigh, N. C. The car was wrecked at the end of a dead end street. The driver fled and Hatchell continued the chase while Jolly guarded two soldiers who were passengers in the car.

The three men heard two shots and found Hatchell dead. Rogers was arrested hitch-hiking out of Petersburg.

The two soldiers, both absent without leave, identified Rogers as the driver. They said he had picked them up in Raleigh the night before. Rogers denied their story.

He contended he left Miami, Fla., as a hobo on an Atlantic Coast Line Railroad train and that he was discovered by a trainman and put off at Petersburg.

Rogers was convicted of first-degree murder and was sentenced to death. The State Supreme Court of Appeals upheld the sentence.

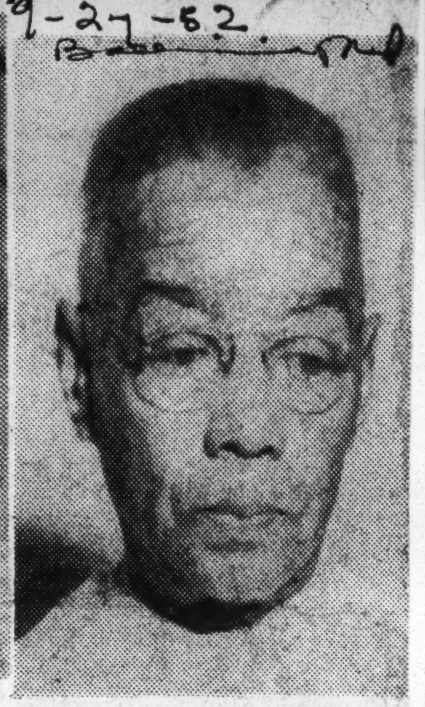
Rogers' court-appointed attorney, R. H. Cooley of Petersburg, believed his client innocent. After 14 months he found Diesel Supervisor Robert W. Murray of Richmond, who identified Rogers as a man he had put off a train at Petersburg the night of July 17, 1943.

Through the help of a national magazine and reporters in other towns, Kilpatrick piled up evidence in Rogers' favor. The soldiers, Pvts. Charles Stephens and James Jordan, could not be found. During the trial they testified Rogers drove the car and smoked cigarets with them. Kilpatrick proved that Rogers could not drive and did not smoke.

Manassas Citizens Believe Grayson Is Innocent







Leading citizens of Manassas, Va., who are leading the fight to raise funds—for the defense of Douglass Grayson are left to right Mr. and Mrs. John Chapman and Adolphus Roy Jr. Mrs. Chapman declared that Grayson had worked in her home for years and was "gentle and harless." (Staf Photos)

Douglass Grayson Lived Here



It was in this farmhouse on the outskirts of Manassas, Va., where 23-year-old Douglass Grayson lived with his parents before leaving home three weeks ago with a travelling carnival. He wasosaved from a mob in Elizabetrtown, N.C. after being picked up on suspicion of the rape murder of a housewife. (Staff Photo)

CALLED 'HELPING HAND DOUG':

Va. Citizens Rally To Aid Youth Held For Murder

MANASSAS, Va. — The old saying "A prophet is without honor in his own hometown" has been reversed in the case of Douglass Grayson, 23-year-old local youth who is being held in Elizabethtown, N.C., on a charges of criminal assault and murder.

Leading citizens of both races in Manassas rallied to the support of the accused youth when word reached here that he had been saved from a mob after he was picked up on suspicion in the slaying of Mrs. Thay Lewis White, a housewife.

Raising Defense Fund

Manassas citizens who have known the suspect all his life and have employed him in their homes are confident of his innocence and are raising funds for his defense.

Grayson who worked as a general handyman at odd jobs throughout the city, left Manassas three weeks ago with a traveling carnival with which he had worked as a dishwasher and roustaout during their week's engagement here.

His mother, Mrs. Frances Washington, had sought the aid o a commonwealth attorney to have the youth brought back to the city because he was beyond the juvenile age limit and had already crossed the state line.

Local Authorities Intercede

John Chapman and Adolphus Roy Jr., both veteran Mannassas businessmen and former officials of the NAACP, are raising funds to send an investigator to Elizabethtown to probe the charges and arrange for defense of the youth, if his release cannot be obtained.

Already local municipal authorities have interceded on their behalf and further steps will be taken when the local sherriff who is ill can make the trip to North Carolina.

Although the youth is being held as a suspect and is reported to have confessed after five hours of grilling, Sherriff John B. Allen of Elizabethtown is reported to have expressed doubt concerning his guilt because the fingerprints found on the murder weapon, an electric [illegible] and a 2 x 4 with which the woman's head was crushed, did not correspond with those of Grayson.

Husband Not Questioned

Although the victim's husband was reported to have been absent from the home for several hours, there was no indication that he was eing questioned in connection with the tragedy.

Doubt was also created when, in spite of the fact that the victim's body was dragged several yards from the house and was a mass of lood, no stains were found on the youth's clothing.

Local friends discount the idea that he could have changed clothing because he was wearing the only suit he has to his name at the time he left Manassas.

Saw Father Slain

Local citizens attribute his arrest to his weakness for prevarication. He is reported to tell fantastic stories, an ailment which he has displayed ever since he was released from the Virginia Mental Institution at Petersburg following a breakdown.

This breakdown came at the age of 12, when he saw his father slain with an axe in a dispute with a neighbor.

He spent five years in the institution, but has led a model life since his release and is credited with being one of the most polite and helpful youths in the city where he is known as "Helping Hand Doug."

Describing how he earned the devotion of both races, Mr. Chapman declared that he might be classed as the town's half-wit, but he never asks anybody for a job, but was always a hard worker and kept busy.

When he saw people working he pitched in and helped, more as a good neighbor than as an employee.

Always Pitched In And Helped

Going along the street, when he saw a citizen cutting his lawn or unloading packages from his truck or car, "Doug" pitched in and helped and would never leave until the task was completed.

Because of this, he never wanted for anything as families in the community would take turns seeing that he was fed and got the necessities of life.

No one ever suspected him of any criminal tendencies and he was welcome in all local homes.

Because He Was A Stranger

If such a crime has been committed in Mannassas, Grayson would have been the last one picked up, Mr. Chapman believes and his arrest was undoubtedly due to the fact that he was a stranger in Elizabethtown and was unable to give a coherent explantion of his actions.

Grayson is the son of Mrs. Frances Washington, a hard-working domestic, and has a number of sisters and brothers including: Mrs. Geneva Foster, 28; Mrs. Lucille Washington, 30; Barbara Grayson, 22, now serving with the Armed Forces in Germany.

13d 1952 Alabama

Jefferson life-termer is among 13 granted paroles; 25 refused

MONTGOMERY, Ala., March 18 —Thirteen prisoners were granted paroles during the week ending yesterday by the Alabama Board of Pardons and Paroles. Included was a convict serving a life sentence for first degree murder.

He is Mack Harris, Negro, sentenced Oct. 30, 1939, from Jefferson County.

During the week the board denied 25 applications for parole. It revoked no paroles granted previously.

No pardons or restorations of civil and political rights were granted during the week nor were any applications denied.

Other paroles were granted to:

Fred Bailey, Negro, sentenced from Bullock on Feb. 15, 1940, to serve 35 years for second degree murder.

Tom Carey, Negro, Bullock, Aug. 6, 1951, 13 months second degree murder.

Walter Hereford, Negro, Madison, Aug. 6, 1949, six years grand larceny.

Andrew Hill, Negro, Lauderdale, March 1, 1947, five years and three days, grand larceny and receiving and concealing stolen goods.

Clyde Kelly, Houston, Feb. 1, 1951, two years grand larceny.

Alton McWilson, Negro, Pike, Dec. 2, 1946, 11 years robbery.

Roy McWilson, Negro, Pike, Dec. 2, 1946, 11 years robbery.

Andrew Norris, Negro, Montgomery, June 2, 1949, five years, first degree manslaughter.

Albert Rodgers Jr., Negro, Jefferson, Nov. 26, 1946, 10 years, burglary.

John Sanders, Negro, Jefferson, March 4, 1949, seven years, first degree manslaughter.

Everett Sledge, Negro, Jefferson, June 28, 1950, three years, grand larceny.

George Zimmerman, Negro, Chilton, March 20, 1951, two years burglary.

13d 1952

Alabama

Alabama Frees 17 Prisoners

A Negro serving a life sentence for first degree burglary was one of 17 convicts paroled by the Alabama Board of Pardons and Paroles during the week ending yesterday.

He is David Scott, sentenced from Mobile County on Dec. 2, 1941.

During the week the board denied nine applications for parole and revoked two that had been granted previously.

No applications for pardons or restoration of civil and political rights were granted or denied during the week.

Others who were paroled are:

Ernest Baker, sentenced from Franklin on Feb. 4, 1951, to serve 18 months for burglary, grand larceny and receiving stolen property.

Willie Barnett, Negro, sentenced from Jefferson on Jan. 17, 1945, to serve five years and 25 years for assault with intent to rob and robbery.

Willie Lee Carver, Negro, sentenced from Bibb on Feb. 25, 1942, to serve three years each in two cases of grand larceny, 10 years for first degree burglary and eight years for grand larceny.

Percy Coleman, Negro, sentenced from Lowndes on March 21, 1950, to serve five years for grand larceny.

Tyre Cox, Negro, sentenced from Crenshaw on April 11, 1951, to serve two years for grand larceny.

Otto Crumpton, Negro, sentenced from Jefferson on June 25, 1948, to serve 10 years for first degree manslaughter.

James Dudley, Negro, sentenced from Jefferson on Jan. 24, 1947, to serve four years each in two cases of burglary.

Isaac Forrest, Negro, sentenced from Jefferson on March 28, 1947, to serve 10 years for first degree manslaughter.

Willie Jackson, Negro, sentenced from Jefferson on Jan. 24, 1947, to serve four years each in two cases of burglary.

Daniel Johnson, Negro, sentenced from Jefferson on Jan. 30, 1948, to serve three years and four years for two cases of grand larceny.

Lawyer Little, Negro, sentenced from Sumter on Oct. 9, 1950, to serve three years for grand larceny.

Lawrence McGregory, Negro, sentenced from Jefferson on Nov. 5, 1929, to serve 40 years for second degree murder.

Cleve Moss, Jr., sentenced from Houston on July 8, 1946, to serve 10 years for robbery.

Max Randall, Negro, sentenced from Jefferson on Nov. 21, 1950, to serve three years for burglary.

Herbert West, sentenced from Franklin on Feb. 24, 1951, to serve 18 months for second degree burglary, grand larceny and receiving stolen property.

Oliver Wilkins, sentenced from Coffee on April 20, 1951, to serve two years for bigamy.

Racial identification of parolees will be omitted from future lists

MONTGOMERY, Ala., Feb. 19—(AP)—From now on, parole lists put out by the Alabama Pardon-Parole Board won't identify persons on it by race.

Parole Board Secretary L. B. Stephens said yesterday the move is being taken to cut down on clerical work. Stephens added, however, the board would release the race of any particular parolee when asked.

Yesterday, the board announced pardons for three persons, restoration of civil and political rights for two and paroles for 17 others.

Ten paroles were revoked and 21 applications for paroles denied during the week.

Pardoned were:

Mark Cunningham, sentenced from Calhoun County on May 20, 1927, to serve from 28 to 29½ years for assault with intent to murder and burglary and grand larceny, paroled Sept. 12, 1945.

Herbert Ellis, Escambia, March 16, 1943, 10 years, second degree murder, paroled April 10, 1947.

William Robinson, Dale, Dec. 1, 1937, life, first degree murder, paroled Oct. 18, 1944.

Civil and political rights were restored to:

Andrew Barnett, Madison, Sept. 7, 1940, five years probation, second degree forgery.

Paul Burbanks, Lauderdale, March 1, 1946, three years, grand larceny, released April 24, 1947.

Paroled were:

Susie Artis, Sumter, May 23, 1951, a year and a day, distilling.

Robert Bell, Jefferson, March 2, 1951, 10 years, robbery (paroled to Federal Prison Authority).

Arthur Blackmon, Dallas, Oct. 20, 1947, eight years, assault with intent to murder.

William Allen Burns, Tuscaloosa, Sept. 23, 1947, 10 years, disposing of mortgaged property and grand larceny.

Henry Bush, Jefferson, May 12, 1941, 17 years, second degree murder and grand larceny.

Egbert Estes, Walker, Feb. 7, 1947, eight years and eight days, burglary and grand larceny (paroled to Florida authorities).

J. C. Gibson, Jefferson, June 18, 1929, from nine years to nine years and 150 days, second degree forgery, embezzlement, grand larceny, buying, receiving and concealing property. (Gibson is a former parole violator re-committed to prison).

David Hardwick, Henry, Feb. 25, 1949, five years, second degree burglary.

Albert Jackson, Greene, June 7, 1951, two years, assault with intent to murder.

Ernest Johnson, Perry, Nov. 22, 1949, four years, grand larceny.

Willie Johnson, Greene, Oct. 3, 1949, six years, second degree burglary and grand larceny.

Fred Luker, Monroe, Nov. 27, 1950, two

On Parole Board



W. L. Shobe, Lynch, Ky., named to the State Parole Board by Governor Wetherby Tuesday, is principal of the Lynch Colored High School and the first Negro ever named to the board.

First Negro To Join State's Parole Board

Head of Lynch School, W. L. Shobe, Approved

Frankfort, Ky., Sept. 2 (AP)—Governor Wetherby today approved the appointment of W. L. Shobe of Lynch, Harlan County to the State Parole Board. Shobe is principal of Lynch Colored High School and is the first Negro named to the board.

Born and reared in Warren County, Shobe is a graduate of Kentucky State College and has done graduate study at Fisk University, Nashville, and the University of Cincinnati. He formerly was principal of high schools in Middlesboro and Bowling Green.

Board Has Seven Members

The 1952 Legislature gave the State Parole Board statutory standing. Until this year it was a creation of the Welfare Department by administrative regulation. It formerly consisted of five members. It now consists of seven members appointed by Welfare Commissioner Luther Goheen, subject to the Governor's approval.

The other members are:

Carl Norman, Frankfort, full-time chairman; Joe C. Rinehart, Louisville; Melvin Carter, Frankfort; the Rev. Elmore Ryle, Stanford; C. E. Vinson, Louisville, and Dr. Adolphus Gilliam, Lexington.

Board members receive $15 for each meeting they attend, plus travel expense. All actions of the board are subject to the Governor's approval and he said that to date he has affirmed all its recommendations.

Kentuckian Gets Parole Board Post

FRANKFORD, Ky. (ANP) —A principal of a county colored high school last week was appointed to the Kentucky State Parole Board and possibly became the first member of his race to receive such an appointment in the history of the state.

The new appointee is W. L. Shobe of Lynch, Harlan County, principal of the Lynch High School, whose appointment to the seven-member board was made by the governor of Kentucky.

Born and reared in Warren County, Shobe is a graduate of Kentucky State College and has done graduate work at Fisk University, and the University of Cincinnati. He formerly served a s principal of high schools in Middlesboro and Bowling Green.

Youth Reportedly Killed By Officer

BESSEMER, ALA. — A 16 year old youth, Arthur Lee Walton, was reportedly killed by City Detective Lawson Grimes, Sr., here Wednesday morning, November 12.

He became the 14th Negro killed by Alabama law enforcement officers during 1952 and the 67th over a four-year period beginning with 1948. He is the second nonwhite person killed in Bessemer this year and the eighth in the Jefferson County area.

Police said the teen-ager was shot and killed in the Harlem Record and Hosiery Shop, operated by Arthur B. Tiddle at 1918 First Avenue, Bessemer. Investigating officers said it was believed that the youth was responsible for about 15 burglaries at the place.

Officers said that Tiddle estimated that merchandise and cash valued at $500 had been taken during the time of the series of thefts. Officers said that Detective Grimes commanded the victim to throw up his hands but that Walton had a switch blade knife in his hand and a hnunting knife in his scabbard and advanced on him.

Murder Toll Mounts

Alabama Police Kill Two More

BIRMINGHAM, Ala.—Two Negro citizens were recently killed by law enforcement agents in Alabama to bring the number during 1952 to fourteen and over the past four years to sixty-seven.

Arthur Lee Watlon, listed as 17, janitor-usher at the Frolic Theatre, Bessemer, Ala., was fatally wounded by City Detective Lawson Grimes Sr., around 7:05, Nov. 12, investigator said. The victim was allegedly entering the Harlem Record Bar 1918 First when he was shot.

(Friends told reporters that the youth, a student of Dunbar High School, was only 14 years old. His parents are Willie Mose Walton and Mrs. Bessie Mae Walton, of 1926 Exeter Avenue, Bessemer.)

Arthur B. Tiddle Sr., co-owner of the record bar reported to the police that his place had been burglarized for about six months. He claimed that about $500 worth of merchandize had been missing. Police said that the teen-ager was responsible for about 15 burglaries. He is the second Negro killed this year by Bessemer police. (There are 17,269 Negro and white persons living in Bessemer. 1952 U. S. Census.)

Investigating officers said that Walton refused to drop a knife he held in his hand when he was commanded to halt. He was shot one time.

Will King, 55, of Mobile, on Oct. 31, was allegedly fatally shot by Detective William Lamix, who along with Patrolman Douglas Artlip allegedly tried to arrest the victim.

Ex-deputy, acquitted in slaying of Negro, faces federal charge

MONTGOMERY, Ala., Oct. 19—(AP)—A former Tallapoosa County deputy sheriff faces trial in Federal District Court on charges of violating the civil rights of a Negro who was shot to death.

The ex-deputy, Clarence Johnson, was arrested two days ago and released under $1,000 bond after waiving a preliminary hearing.

U.S. District Atty. Burns Parker signed the warrant charging Johnson with violating the civil rights of Eddie B. Harris by depriving him of his life without due process of law.

Harris was shot to death with a pistol Oct. 15, 1950. The former deputy sheriff was tried on a murder charge in state court and acquitted.

Circuit Solicitor Dan Boyd said the state claimed Johnson shot Harris while checking for whisky in a car occupied by Negroes. Harris was shot when he ran into a field, Boyd said.

The defense contended the Negro was armed with a knife and was fatally wounded in a scuffle with officers.

Text of jurist's ruling tossing out morals counts against Connor

Here is the text of the opinions given by Special Circuit Judge Emmett Hildreth when he threw out six of the 15 Grand Jury counts recommending impeachment of Public Safety Commissioner Eugene Connor:

"The information in this cause contains three charges, namely, the commission of offenses involving moral turpitude, corruption in office and incompetency in office. Each of the charges contain specifications in support thereof.

"The questions raised by the demurrers to the information and to each charge and specification contained therein, separately and severally, seek to test the legal sufficiency of said charges and specifications as grounds of impeachment of the defendant.

"The charges and specifications in support thereof in the information follow substantially the specifications and findings in the report of the Grand Jury. This is essential because the charges and specifications in the information cannot exceed or be greater than the facts as found and set forth in the report of the Grand Jury. The Supreme Court has held that the information cannot be broader than the report of the Grand Jury: that the information cannot properly charge a fact not charged in the report of the Grand Jury. Bowen vs. State, 207 Ala. 672, 93 Sc. 412.

"What rules of law will determine the legal sufficiency of the charges and specifications contained in the information? Our courts in numerous cases have dtermined that impeachment proceedings are criminal in their nature and are governed by rules of law applicable in criminal prosecutions. State vs. Buckley, 54 Ala. 599. Likewise in other cases, our courts have held that the rule applicable in criminal cases that the guilt of the accused must be proven beyond a reasonable doubt likewise applies in impeachment proceedings. State vs. Talley, 102 Ala. 25, 15 Sc. 722. The Supreme Court declared in the cases of State vs. de Graffenried, 226 Ala. 169, 146 Sc. 531, and in Nelson vs. State, 182 Ala. 449, 62 Sc. 189, and State vs. Hasty, 63 Sc. 559, that impeachment proceedings are highly penal in their nature and are governed by the rules applicable in criminal cases.

"On the other hand, the case of Batson vs. State, 216 Ala. 275, 113 So. 300, treats an impeachment case as a civil proceeding. In that case, the court held that the jury for the impeachment trial was to be obtained as juries are obtained in civil cases. It held that the acquittal of the officer on the first trial of the impeachment case, was subject to be set aside by the trial judge as in civil cases, and that the acquittal on the first trial could not be pleaded as former jeopardy to a further prosecution of the information, but whether the rules of pleading applicable in civil actions or in criminal prosecutions apply, impeachment proceedings being highly penal in their nature, the constitutional and statutory provisions as related to the procedure in such cases must be given strict construction in favor of the defendant, and the facts subjecting the officer to impeachment must be stated with reasonable certainty in the information.

"Nelson vs. State, supra. Section 189 of Title 41 of the Code of Alabama provides that impeachment proceedings shall be proceeded with in all respects as civil actions at law are conducted, with the right to either party to except to the rulings of the court, and to reserve such exceptions as in civil causes. The pleadings in the cause are a part of the procedure.

"Therefore, it necessarily follows that the sufficiency of the charges and specifications contained in the information must be determined according to the rules applicable to pleadings in civil causes subject to the provisions of Section 6 of the Bill of Rights which provides that the defendant in a criminal prosecution has the right to demand the nature and cause of the accusation and to have a copy thereof, etc.

"It is axiomatic that in civil actions, the party plaintiff, corresponding to the state of Alabama in the impeachment information, must state in his complaint all facts essential to create liability. The supposed liability must not rest in doubtful inference, or conjecture. American Tie & Timber Co. vs. Naylor Lumber Co., 190 Ala. 316, 67 So. 246. Pleadings in civil actions are required to be certain and specific in their averments of the material facts on which the right to relief depends, so that it shall not be left to doubtful inference merely as to what those facts are. Smith vs. Johnson, 216 Ala. 570, 114 So. 192.

"On demurrer the averments of a complaint, in a civil action, are construed most strongly against the pleader. Smith vs. Johnson, supra. If the facts stated in a complaint are reasonably consistent with non-liability of the defendant, the complaint is insufficient. Certainty to a common intent in pleading is essential to the due administration of justice, and our Supreme Court has said that this requirement cannot be abolished.

"Though there is frequently difficulty in deciding whether a particular averment is a legal conclusion or a statement of an ultimate fact, it is certain that the averment of a legal conclusion without a further averment of sufficiently supporting facts, is demurrable. Woodward Iron Co. vs. Marbut, 183 Ala. 310, 62 So. 802.

"The above rules being the rules applicable in civil actions, they are the rules which must be applied in determining the sufficiency of the information against the demurrer interposed to it. Section 182 of Title 41 of the Code of Alabama requires that the information shall contain a succinct statement of the facts constituting the matters complained of.

"We now come to the question of the legal sufficiency of the information to charge facts which, if proven, will subject this defendant to removal from office upon the grounds of (1) offenses involving moral turpitude, (2) corruption in office, and (3) incompetency in office. The Constitution of Alabama, Section 173, sets forth specifically what grounds may be assigned for impeachment, and the defendant may be impeached and removed from office only upon some ground enumerated therein.

CHARGE NO. 1
Offenses Involving Moral Turpitude

"Moral turpitude means anything done contrary to justice, honesty, principle, or good morale; an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow man or to society in general, contrary to accepted and customary rule of right and duty between man and man. Moore vs. State, 67 So. 789-791.

"The word offense, as used in Section 173 of the Constitution of Alabama of 1901, and in Section 178, Title 41, Code of Alabama of 1940, is limited to crimes and does not include the violation of a municipal ordinance or any other misconduct which is not a violation of criminal law. It necessarily follows that a violation of a municipal ordinance only is not a ground of impeachment as an offense involving moral turpitude, hence specification 1 of Charge 1 is clearly insufficient as a ground of impeachment.

"Likewise, if Specification 2 of Charge 1 is based upon the alleged violation of a municipal ordinance of the City of Birmingham, it follows that the court must declare it legally insufficient. The facts as alleged therein constitute no violation of any criminal law of the state. However, severely we may and do condemn any violation of our moral code of living, each acts as charged in said specification, if true, do not meet the test of legal sufficiency as a ground of impeachment. This specification does not charge an offense involving moral turpitude within the meaning of the constitutional and statutory provisions relating to impeachment, and it is the plain duty of the court to so hold.

"Specifications 3 and 4 of Charge 1 are here considered jointly. These specifications charge, in substance, that the defendant enticed one, Frances Smith, an employe of the City of Birmingham, into his private office, and after securing the door to his private office by locking the same, did (1) assault the said Frances Smith and (2) make improper advances and vulgar suggestions to her.

"Assault and using obscene language are not offenses involving moral turpitude and do not afford grounds of impeachment. Craven vs. State, 22 Ala. 39; Moore vs. State, 12 Ala. App. 243; Pippen vs. State, 197 Ala. 613. In passing upon the legal sufficiency of these and other similar specifications, the court is not permitted to indulge in inferences or speculations, but must rule upon the plain and ordinary meaning attached to the words and expressions used therein.

"Specifications 5 and 6 of Charge 1 will be treated in the next succeeding paragraph under the title of corruption in office.

CHARGE NO. 2
Corruption in Office

"Generally, corruption in office may be defined as any act done with dishonest motives: an act done with the purpose and intent of obtaining something of profit or advantage inconsistent with official duty and the rights of others. Corruption in office would include such official conduct of an official as was activated by a wrongful design to acquire or cause some pecuniary or other advantage for himself or others contrary to law. It, among other things, implies official conduct involving moral turpitude, bribery, intentional fraud, and such related offenses.

"Any official conduct characterized by such evil or corrupt designs constitute corruption in office. The act must relate in some direct manner to the office and must be inconsistent with the official's duties as related thereto. In order to sustain impeachment on the ground of corruption in office, it must be shown beyond a reasonable doubt that the acts of omissions were done with corrupt motives. State, ex rel, Atty. Gen. vs. Hasty, 184 Ala. 121; 63 So. 559.

"Specifications 1 and 2 under the charge of corruption in office, and Specifications 5 and 6 under the preceding Charge No. 1 (offenses involving moral turpitude) charge, in substance, misconduct in office on the part of the defendant. Section 221 of Title 41 of the Code of Alabama, Paragraph 3, provides that "every public officer who shall employ or use any person, money or property under his official control or direction, or in his official custody, for the private benefit or gain of himself or another" is guilty of misconduct in office, and while legally sufficient under the charge of corruption in office, the court is of the further opinion that Specification No. 5 of Charge 1 does not charge moral turpitude.

"It is the opinion of the court that these specifications are legally sufficient under the charge of corruption in office, but that Specification No. 5 of Charge 1 is legally insufficient as an offense involving moral turpitude.

CHARGE NO. 3
Incompetency in Office

"Incompetency within the meaning of Article 7, Section 173, of the Constitution, is incapacity for the performance of the duties devolved by law on the official in respect of the particular office he fills. State ex rel, Atty. Gen. vs. Martin, 180 Ala. 458; 61 So. 491. Such capacity on the part of the official to perform the duties of the office which he fills is deemed essential and the purpose of the constitutional provision for removal from office upon the ground of incompetency was to supply a remedy for inefficient administration of office.

"It is possible that incompetency of an official may exist by reason of either physical or mental conditions, and that it may bring detriment to the public whenever, from any cause, it may occur. But we must interpret the law so as to allow it to operate reasonably, and such interpretation excludes from the term "incompetency" all such more temporary incapacity as ordinarily attends and is co-terminus with acute disease.

"The incompetency which serves for impeachment is such as characterizes the usual status of the officer and which will therefore be continuous in some degree; and the duration of the incompetency must be such as to indicate beyond a reasonable doubt that it will continue during the remainder of the term of the accused official.

"Specifications 1, 2, 3, 4, 5 and 6 of Charge 3 are found to be legally sufficient.

"Specification 7 of Charge 3, which charges that the defendant failed to take necessary action to discipline one, Henry Darnell, for the statement the said Darnell is alleged to have made in open court in criticism of the defendant, raises the question as to whether the statement of the said Darnell made in open court is privileged.

"After carefully considering and studying this specification and the decisions of our courts as related thereto, it is the opinion of the court that Darnell's statement made in open court was privileged, and that any attempt on the part of the defendant to discipline the said Darnell as a result thereof would constitute contempt of court and would be punishable as such. Therefore, it is clear that this specification is legally insufficient.

"The defendant's demurrers will be sustained as to Specifications 1, 2, 3, 4 and 5 of Charge 1, and to Specification 7 of Charge 3, and overruled as to the remaining specifications and charges, and the order and decree of the court will follow accordingly.

"Done in term time, this 26th day of March, 1952.

EMMETT F. HILDRETH,
Special Judge."

Connor takes stand and trial ends abruptly

A Circuit Court jury late Saturday afternoon began deliberations in the trial of City Commissioner Eugene Connor on impeachment charges.

The jury filed out of the courtroom at 5:45 p.m. after Special Judge Emmett Hildreth of Eutaw read a 15-minute charge.

The five-day trial came to an abrupt climax after Connor spent two hours on the stand.

Defense Atty. White Gibson Sr. said he was willing to submit the case to the jury without argument and Solicitor Emmett Perry and Deputy Solicitor Cecil M. Deason also waived their jury pleas.

The charge

JUDGE HILDRETH read the specifications charging Conner with offenses involving moral turpitude, corruption in office, and incompetency.

The judge told the jury that among other things, "moral turpitude is anything done contrary to justice, honesty, principle and good morals."

He told the jury that "generally corruption in office is an act done with dishonest motives . . . and it must be shown beyond a reasonable doubt that the acts were done with corrupt motives."

He said incompetency is an "incapacity for the performance of duties devolved by law for the office which he fills."

More than a score of defense witnesses took the stand Saturday before Connor moved onto the witness stand and denied the charges against him.

* * *

CONNOR TOOK the witness stand at 1:55 p.m. as the last witness for the defense.

He flatly denied that more than one load of leaf mold was brought to his home. He also denied that he was present when the leaf mold was delivered.

Ernest Tidwell, an employe in Connor's department, had testified he hauled two loads of the leaf mold to Connor's home and that Connor directed the unloading of the last load.

Connor said he was not there, did not talk to Tidwell, as the latter claimed, and did not know that a city truck was used to haul the material.

Connor said he asked W. M. Avant, city greenhouse operator, about getting some leaf mold for his flowers. Avant told him he could have it if he "would dig it out and haul it." Connor said.

He said he asked Robert K. Austin, City Jail warden, about the latter getting a truck to haul the material. He said the leaf mold was later hauled and he scattered it.

"I asked Austin how much I owed for the truck," Connor said. "He told me it didn't cost anything. Forget 't.'"

* * *

Connor defends

CONNOR SAID he did not know until the Grand Jury report was made public that a city truck had been used to haul the material.

The lefa mold was full of bottles, glass, shoe laces, cans, rocks, bones and other debris, the witness said.

He added that it was piled up in his yard for a few days.

"One morning at 6 a.m. I borrowed a wheelbarrow from a neighbor and hauled the dirt to the back of my house to a rose garden," Connor said. He said he picked the trash out of it as best he could as he hauled it.

Connor admitted without hesitation that he ordered city prisoners sent to do work at the club house of the Federated Women's Club on Highland-av.

"I knew that club was one that had done a lot for Birmingham," he said.

The commissioner defended his orders to the Fire Department, which the Grand Jury said were made for the purpose of breaking morale and destroying the faith of the men in Chief Hoyt Ayers.

He cited statistics showing the growth in the Fire Department, and the improvement of its equipment since he took office 15 years ago.

Connor said fire insurance rates have been reduced drastically in Birmingham since he became commissioner.

* * *

Early testimony

EARLIER, MAYOR COOPER Green and Commissioner James W. Morgan were called as witnesses for the defense.

The mayor testified that at times Connor was "very beligerent" and a "hard taskmaster at times."

He testified Connor operated his department very capably and was "competent" in operation of city affairs.

The mayor said he felt that "99 per cent" of "clashes" Mr. Connor had with personnel and others were just due to clashes of personality.

The trial opened last Tuesday morning, but almost two full days were consumed with legal maneuvers and at the end of that time Judge Hildreth ruled out morals charges brought against Connor. They involved his arrest and conviction on charges of having sexual intercourse with his private secretary in a hotel room.

The judge also threw out a charge that Connor assaulted a police complaint clerk in his office and made indecent proposals to her.

* * *

Trial review

THE STATE OPENED its case against Connor with Ernest Tidwell, a city jail employe, on the stand. He testified he hauled two truck loads of leaf mould to Connor's home, using city prisoners and a city truck.

He said he saw Connor at his home and talked to him on one of those occasions.

Tidwell also told of hauling city prisoners to the clubhouse of Federated Women's Clubs on from 12 to 20 days.

Fire Chief Hoyt Ayers and a score of firemen testified that orders issued by Connor concerning a change in working schedules and responsibility for accidents caused by negligence, impaired the morale of the department.

Three firemen also testified they heard Connor say he should transfer Fire Capt. Ray Perry to Wylam which is 16 miles from Perry's home, because he (Perry) was friendly with Joe Money. Mr. Money was an opponent of Connor's in the last gubernatorial race.

'Bull Connor' Freed, But Faces Appeal

BIRMINGHAM—City officials here said that an appeal will be made to reverse the Alabama Court of Appeals decision last week dismissing a joint occupancy charge against Birmingham Police Commissioner Eugene (Bull) Conner.

Police Commissioner Conner was convicted of occupying a hotel room with his private secretary. Under a city law it was made unlawful for a man and a woman other than his wife, or her husband, to occupy a hotel room.

Since the ordinance was adopted in 1940, some 1,000 persons have been convicted.

Conner, a married man, denied any immoral intent or actions. He said he "walked into a trap."

The secretary, Miss Christina Brown, 34, was also charged with the same offenses but was never brought to trial. She resigned as the commissioner's secretary and reportedly left Birmingham shortly after the hotel incident last December 21.

Alabama Records Fifth Negro Slaying At The Hands Of Police Authorities

ANNISTON, Ala. — (SNS) — Edward Young of Hobson City, an all-Negro municipality, June 7 became Alabama's fifth Negro citizen in 1952 to be alleged slain by police bullets.

Young is the first Negro during the Twentieth Century inAlabama so far as records are available, who has come to his death by a law enforcement officer of his own racial identity.

Deputy Sheriff Fayette Cunningham allegedly shot Young after the latter pulled a knife. Cunningham, also a Hobson City police officer, reportedly attempted to arrest Young on a charge of assault and battery.

Deputy Cunningham was placed in the Calhoun County jail for safekeeping on a technical charge of vagrancy as feeling was running high against the deputy in Hobson City.

Investigators were checking reports of the alleged fatal shooting of Charles Andrews, of Box 153, Maplesville, Ala. who was mortally wounded by a law enforcement officer in Chilton County. Efforts to verify this report have not been productive.

A total of 57 Negroes are listed as killed by police in Alabama over the past five years.

Negro Cop Kills First Ala. Victim

ANNISTON, Ala. — Edward Young, a resident of the all-Negro town, Hobson City, on June 7 became Alabama's fifth Negro citizen to be fatally shot during 1952.

He became the first Negro allegedly to be killed by a Negro police officer. Deputy Sheriff Fayette Cunningham allegedly shot Young after the latter pulled a knife.

CUNNINGHAM, ALSO a Hobson City police officer, reportedly attempted to arrest Young on a charge of assault and battery.

Deputy Cunningham was placed in the Calhoun County jail for safekeeping on a technical charge of vagrancy as feeling was running high against the deputy in Hobson City.

Investigators were checking reports of the alleged fatal shooting of Charles Andrews of Maplesville, who was mortally wounded by a law enforcement officer in Chilton County. Efforts to verify this report have not been productive.

A total of fifty-seven Negroes are listed as killed by police in Alabama over the past five years.

Court refuses to reconsider Connor decision

MONTGOMERY, Ala., July 1 — (AP)—Birmingham Police Commissioner Eugene Connor won another round in his battle to beat a conviction of occupying a hotel room with his secretary.

Before beginning its Summer recess, the Alabama Court of Appeals yesterday refused to reconsider an earlier decision reversing a lower court and holding unconstitutional the city ordinance under which Connor was convicted.

Connor was fined $25 by a Circuit Court jury in Birmingham after he and his secretary, Miss Christina Brown, 34, were found together in a hotel room last Dec. 21.

He was convicted of violating a city ordinance which made it unlawful for a man and woman to occupy a hotel room together except man and wife or parent and minor child. The 54-year-old police commissioner, a married man, contended he "walked into a trap" and denied any immoral intent or actions.

Reversal of the conviction was ordered by the Court of Appeals on grounds that the Birmingham ordinance was too broad and covers many lawful, innocent and right-ful acts" as well as "illegal and immoral conduct."

Connor was first charged with attempting to have immoral relations with Miss Brown; with having such relations with her, and with an act leading to breach the peace in addition to the hotel room violation.

The other charges were knocked out by the Circuit Court after Connor appealed from conviction on all counts from the police court.

City to appeal

City Atty. J. H. Willis said the city of Birmingham will appeal the Court of Appeals decision to the Alabama Supreme Court.

13e 1952 Alabama

World War 2 Vet Allegedly Shot To Death By Policeman

A 27-year-old World War II veteran was reportedly shot to death here by a city policeman early Sunday morning while the victim was allegedly lacing on his shoes in his bedroom as his 14 year old sister looked on screaming, "please, don't kill my brother."

Johnny L. Vann whose body was reportedly picked up by a Poole Funeral Home ambulance was allegedly shot fatally three times in his bedroom about one a. m. March 23.

Mr. Vann became Alabama's third Negro citizen allegedly killed during 1952 by law enforcement officers, the first for this year reported by a city policeman.

Mrs. Agnes Gardner, mother of the slain man said that two police officers came to her home, 1903-26th Ave. No., early Sunday morning, arrested her for possessing whiskey, and fattally shot her son as he was putting on his clothes awaiting to be arrested. She desribed them as "riding in Car 91."

She said that her son worked at the Birmingham Water Works, and he was spotted by police as he lay asleep in the front room of their home. She said the police aroused her sleeping son and told him to get dressed quickly.

Mrs. Gardner said the police rushed she and a Miss Sadie Ford of 1616-10th Alley No., the veteran's girl friend who was visiting, to the police car.

The mother stated that her son had been drinking and was fast asleep when the police stepped into his room. She said as he was getting up, she threw his pants to him and was then ordered by police to the police car.

Miss Lois Gardner, 14, sister of the slain man, said that she was in the bedroom when both of the unidentified police officers struck her brother with the butt end of their pistol, drawing blood from him, and when he did not get on his clothes fast enough he was shot three times as he sat in a chair lacing up his shoes.

Her son had been drinking the mother said and was fast asleep when police stepped into his room. She said as he was getting up she threw his pants to him and was then ordered to the police car.

Miss Lois Gardner said that she was in the bedroom when both unidentified officers struck her brother with the butt end of their pistol, drawing blood from him, and when he did not get on his clothes fast enough he was shot three times as he sat in a chair lacing up his shoes. The sister said that she was 14 years old and a student of Parker High School.

Police Captain B. F. Walker gave this version of the Sunday fatal shooting of John L. Vann he said police officer H. O. Black and J. D. Trammell went to investigate a disturbance at 1903-26th Avenue North about 1:50 a. m. they arrested Vann on the charge of the joint occupancy of a room with a woman other than his wife.

The victims mother and Miss Sadie Ford, 20 were placed in the squad car. Officer Black stayed behind for Vann to dress. Vann described violently drunk according to Captain Walker pulled a switch blade knife from his clothes and attacked officer Black who fired three times. Vann died at 4 a. m. at Jefferson Hospital. Miss Ford is being held in city jail on a joint occupancy charge as a material witness.

Mrs. Gardner said that she was taken by police to headquarters, questioned and released after writing her name on a piece of paper.

Funeral plans were expected to be announced by the family.

"Bull" Connor Found Guilty On Morals Charge

By International News Service

BIRMINGHAM, Ala. —Birmingham Police Commissioner Eugene "Bull" Connor was found guilty Thursday in circuit court on a morals charge.

A 12-man jury convicted the 54-year-old commissioner of joint occupancy of a hotel room with a woman other than his wife. The charge was based on an ordnance he wrote in 1944.

The commissioner was acquitted on other charges of having and attempting to have intimate relations with his private secretary.

A fine of $25 was specified by the jury and cursuit judge George Bailes postponed sentencing until Monday to give defense attorneys an opportunity to prepare an appeal. The judge can add a jail sentence of up to 180 days.

Connor's trial in circuit court was on appeal from a police court case in which he was found guilty of the charges. The sentence was a $100 fine and a suspended 180-day jail term.

The fiery, crusading police commissioner still faces impeachment proceedings which grew out of charges made during the police court trial. A grand jury recommended he be removed from the office he has held for 14 days.

First attempt to impeach Connor on the charges of moral turpitude, corruption and incompetency ended in a mistrial two weeks ago. A new hearing is scheduled for May.

12th Slaying Of Negro By Police Reported In Ala.

MONTGOMERY, Ala. —(SNS)— One published and another unpublished fatal shooting of Negro citizens by law enforcement agents raise the total in Alabama to 12 for 1952.

Miss Dorothy Ross, 30, according to a daily press story, was allegedly killed August 15 by police officer C. L. King, of Troy, Ala. She was reportedly caught in a burglary act. Miss Ross was allegedly shot i nthe stomach when she ran. Police said she refused to obey demands to halt.

The Tuskegee branch NAACP said that an investigation was being made into a tragedy in which it is believed the wrong man was killed by law enforcement agents in Macon County.

The listed police killings of Negro citizens in Alabama over a five year period beginning in 1948 adds up to 64.

Alabama's Ugly Record

Police killing of Negro citizens in Alabama, especially Birmingham, Alabama, is one of the worst chapters in this state's ugly record in human relations. Exactly half of the listed Negro citizens killed in Alabama by law enforcement officers are credited to Birmingham. Jefferson County with only eighteen per cent of the state's Negro population turns up with approximately sixty-seven percent of the Negro citizens slain by men of the law.

Over a five-year period sixty Negro citizens have been listed as losing their lives at the hands of officers of the law in Alabama. Thirty of these are set down against Birmingham. Ten others are scattered over other parts of Jefferson County. All in all, some forty of these sixty life-ending tragedies have occurred in Jefferson County.

For most part these Negro-homicides by-police follow identical patterns. They occur at night; the victims are moving in with a weapon; the finding is "justifiable homicide." No issue is here taken with all of the findings of execusable homicide. In our opinion some of these appear to have been unavoidable. Some others are questionable.

It is to be recognized that law enforcement is often dangerous and that some individuals do not have the proper respect for the law in difficult encounters. This focuses attention on an area of the problem which certainly deserves to be handled adequately.

Birmingham has an abnormal number of homicides within the Negro group. This is a serious and outrageous record too. No less consideration should be given to this feature of the bad record than the other. Both add into a record of mounting shame.

Routine investigations are not enough for terrible tragedies. Such probes too often will tend to hatch doubts even where a more thorough and searching check would establish to reasonable satisfaction a clarity beneficial to all. For that reason we think that a coroner's jury working before the public glare should air all homicides. It would be reassuring at this time to have all homicides involving police officers looked into by a special committee of outstanding citizens.

Physical protection in the South is one of the number one needs of disadvantaged groups. This is one of the reason why outside of the South a loud squawk is being raised about the vice-presidential candidacy of Senator John Jackson Sparkmon on the Democratic ticket.

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B'ham City Commissioner To Appeal 4-Count Conviction

BIRMINGHAM, Jan. 7—(AP)—Birmingham's anti-vice crusading police commissioner, Eugene (Bull) Connor, was convicted today of intimacies with his private secretary in a hotel room last Dec. 21.

The city official was fined $100 and given a suspended sentence of 180 days at hard labor. Connor immediately filed notice of appeal from the sentence handed down by Police Recorder Ralph E. Parker after a three-day trial.

Parker found Connor guilty on all four counts of a warrant sworn to by City Detective Henry Darnell, who testified he broke into the hotel room after 23 minutes of pounding and kicking.

These counts charged unlawful joint occupancy, having and attempting to have intimate relations and breach of the peace.

Connor's appeal goes to Jefferson (Birmingham) circuit court, where the case normally would come up for trial in March or April.

The commissioner's current four-year term ends in November, 1953. The charges under which he was convicted are misdemeanors and would not affect his title to the office.

State law provides for a recall election, but there have been no announcements of any plans to seek his recall. The law requires that a petition signed by at least 5,000 qualified voters formally request a recal lelection.

In addition, a county grand jury could recommend that impeachment proceedings be brought against him before the Alabama Supreme Court.

Mayor Cooper Green announced following the trial that the city commission wil linvestigate the police department. He made the announcement after he, connor and Commissioner James W. Morgan, other member of the three-man commission, conferred in private.

The mayor said he and Morgan will conduct the investigation, starting the latter part of the week.

Connor attended a regular meeting of the commission shortly after his conviction.

Today's court hearing opened with the startling statement by Darnell that he had found five sticks of dynamite tied to the exhaust pipe of his automobile last Friday morning, the day the trial began.

Darnell said he noticed the dynamite because the floor of his car, a 1942 model, had worn out.

Connor, 57 and married, has been police commissioner 14 years. His secretary, Miss Christina Brown, is 34. A warrant for her arrest, on the same charges as Connor, has not been served and she was not present for the trial.

When Judge Parker announced sentence, there was a brief flurry of applause in the courtroom, which had been packed for the hearing. Parker warned he would "permit no demonstration here."

John Foster, Connor's attorney, said after the conviction:

"We shall appeal to a court where we can obtain a trial before 12 impartial men."

Chief witnesses in the Connor case were Darnell and Billy Mobley, police reporter for the Birmingham Post-Herald.

Both testified Connor and Miss Brown were in the hotel room when the door finally was opened.

The defense offered little testimony, calling only three witnesses. Connor did not take the state. He contended he had been trapped.

Foster, in his closing argument, asked for an acquittal on the grounds the prosecution had relied on Darnell's testimony and Darnell had been shown to have greater hatred for Connor, and was not to be credited.

Connor, a former telegraph operator and radio announcer, was a member of the state legislature before his election to the city commission. His police department is the largest law enforcement agency in the state. He had been noted for his prosecution of vice cases.

Connor was a candidate for governor in 1950, polling about five per cent of the total vote. He was a delegate to the Democratic convention at Philadelphia in 1948 and walked out, along with half the Alabama delegates, in protest against inclusion of a strong civil rights measure in the platform.

Racist Police Head Tripped

Leading Dixiecrat Held On Sex Count

BIRMINGHAM, Ala. (NNPA)—Police Commissioner Eugene (Bull) Connor, 56, a leading Dixiecrat and advocate of white supremacy, who was charged last Wednesday with "having or attempting to have" intimate relations with his secretary, Miss Christina Brown, 30, has a long record of activities against colored people.

He was one of the Alabama delegates who walked out of the Democratic National Convention in Philadelphia in 1948 because of the adoption of a strong civil rights plank in the Democratic platform.

During his administration as police commissioner some 61 colored citizens have been killed by Birmingham police—26 in 1951 and 35 in the years 1948-50, including 14 in 1948 while Connor was campaigning for Governor on an anti-civil rights, anti-Truman platform.

Backed Taylor's Arrest

Connor was responsible for the arrest of former U.S. Sen. Glen H. Taylor (Dem.), at the time he was the candidate of the Progressive Party for Vice President; and went to Birmingham to address a meeting of the Southern Youth Congress on May 1, 1948.

When Taylor arrived at the Alliance Gospel Tabernacle, a colored church where the meeting was to be held, he found a sign posted over the main entrance reading "colored entrance," while a sign reading "white entrance" had been placed over the door at the rear of the building.

Taylor was arrested when he sought to go into the church through the main entrance, charged with disorderly conduct, and sentenced to a fine of $50 and imprisonment for 180 days at hard labor.

When the United States Supreme Court refused to review the case, Marcus Hancock to request his retirement.

Connor, married and the father of a married daughter, was found with his secretary last Dec. 21 in a private room at a hotel, where city employees were having a department, Christmas party on another floor.

Permitted Terror Bombings

Connor threatened to throw Taupon enforcing Birmingham's racial zoning ordinance declared unconstitutional.

Swearing of warrants against Connor and his secretary apparently resulted from a feud that has been a police brought accusations by the bombing of their split the police against property owners any protection homes.

One other count against Connor was his refusal to give colored citizens were having a even after it had been

The police commissioner insisted Mayor's wife and prompted Chief

Police shoot Negro during chase after arrest as burglar

A barefoot Negro, clad only in his underwear, was shot early this morning by policemen after his arrest on a burglary charge.

LaRue Williams, 21, 330 Third-st, s, was shot in the abdomen and leg. His condition at Hillman Hospital was described as "fair."

* * *

POLICE CAPT. Ben F. Walker gave the following account of the shooting:

Detectives J. T. Holtam and J. M. McDowell, in company with Patrolman J. O. Kelley and R. E. Reid, went to the Third-st address to arrest Williams on a charge of burglary and grand larceny.

Detective Holtam was seated in the police car while Detective McDowell and Officer Kelley went to the front door of the house, knocked on the door and were admitted.

Officer Reid was stationed at the back door.

McDOWELL AND KELLEY arrested Williams, "and he suddenly ran out the back door, barefoot and in his underwear, knocking Officer Reid to the ground in his attempt to flee."

Williams was chased to Third-av and Second-st, s. During the chase, he was shot twice by the officers.

Police also arrested Freeman Gilbert, 25, 113 Division-av. He was put in City Jail and charged with burglary and grand larceny.

Detectives Holtam and McDowell said a large quantity of stolen clothing was recovered following arrest of the two men.

They said Williams and Gilbert are both former convicts.

Selma Policeman Shoots Negro

By An Advertiser Correspondent

SELMA, ALA., Jan. 27—A 36-year-old Negro was shot and killed early today in Selma police headquarters when he grappled for a policeman's gun, according to Coroner Bernard Reynolds.

The coroner returned a finding of justifiable homicide.

Reynolds said the Negro, Ernest Smith, of Selma, was being questioned on a drunk and disorderly charge by an unidentified police officer. During the tussle, the policeman shot Smith in the head twice, Reynolds said.

W. L. Powell, of the State Department of Toxicology at Auburn, conducted an investigation.

Connor Lacking-In Ability; Birmingham Group Reports

BIRMINGHAM, Feb. 19 (AP)—A citizens committee that investigated the police department said today in a formal report that Police Commissioner Eugene Connor lacks executive ability.

A grand jury recommended earlier this month that Connor be impeached on grounds he was "mentally and morally unfit" to hold office. Impeachment proceedings will be heard against him in Circuit Court March 25.

The four-man citizens committee was named by the City Commission to investigate charges of inefficiency and low morale within the police department Connor directs.

Sentence Appealed

The 54-year-old city official has been police commissioner since 1937. He was convicted of morals charges Jan. 7 after being found in a hotel with his secretary. An appeal of his $100 fine and 180-day suspended jail sentence is on the April 7 Circuit Court docket.

The citizens committee, headed by Greye Tate, attorney, said in its report submitted to Mayor Cooper Green that it believes Connor "is deficient in executive ability and lacks an objective outlook. His manner is frequently imperious."

Members of the committee in addition to Chairman Tate are H. A. Berg, retired industrialist; Mervyn Sterne, investment broker, and R. Dupont Thompson, attorney. It questioned city officials and members of the police department during a three-week inquiry.

Berg submitted a minority statement saying:

"I am in accord with the committee's findings as expressed in the report except in one respect, that based on evidence presented to the committee in the hearings, Commissioner Connor himself has definitely destroyed his future usefulness as head of the police department."

Efficiency Credited

The 51-page report included no specific recommendations.

It said the committee felt the police department has been "reasonably" efficient and the department's record for integrity has been "outstandingly good."

"This is not to say," the report added, "that there are not cases of shakedowns, payoffs and petty graft."

However, the committee said it believed the general caliber of police personnel is satisfactory.

The report said factors which resulted in decreased morale within the department included:

1. The hotel incident . . . which has brought embarrassment and chagrin" to the police force;
2. A lack of consistent policy in personnel matters;
3. Financial problems created by the city requiring officers to purchase new uniforms.

Other Factors Noted

Other factors, the report continued, included the change in the police chief from Marcus Hancock to Charles Pierce after Hancock requested retirement on disability; alleged favoritism concerning appointment of Capt. C. E. (Bud) Huey to lieutenant without a competitive examination and his later promotion to captain, and misunderstandings over various Civil Service matters.

The committee was dissolved following submission of the report.

The committee credited Connor with creating and maintaining "relatively clean" conditions within the city so far as organized crime was concerned.

"We are not sure," the report added, "that his concern with these problems has not caused him to neglect to some extent at least other matters, such as control of the detective department, recovery of stolen automobiles, race relations and juvenile delinquency."

Negro shot, wounded by city policemen

Charles Williams, 25, Negro, of 2515 Seventh Alley, South, was in satisfactory condition at Hillman Hospital today from wounds suffered when he was shot by police.

Police Chief Charley Pierce said Williams was shot by officers C. H. Pitts and J. W. Siniard. They said they were in search of a prowler last night and discovered Williams looking in a rear window of an apartment house.

The officers said they fired when the prowler fled.

Shooting of Negro ruled justifiable

SELMA, Ala., Jan. 1—(AP)—Coroner Bernard Reynolds yesterday ruled justifiable homicide in the shooting of Joe Whitt, young Selma Negro, at Browns Station Saturday night.

Sheriff W. C. McCain said Whitt was shot by E. W. Hendrix, a storekeeper, after the Negro had advanced on the storekeeper several times and had refused to leave the store.

The sheriff said Whitt, armed with a shotgun, created a disturbance in the store but was disarmed before he was shot. After the shotgun was taken from him, the sheriff added, Whitt tried to recover it.

Impeachment Trial Set For Police Chief

BIRMINGHAM, ALA. — (ANP) Police Commissioner Eugene (Bill) Connor faces an impeachment trial March 25.

Connor, whose Birmingham policemen killed Negroes seemingly for the sport of it, was recently convicted on four moral charges.

The grand jury recommends his impeachment as the result of information accusing him of moral turpitude, corruption in office and incompetency.

The anti-Negro bully was found in a locked hotel room last December with his 34-year-old secretary, and was convicted on moral charges in police court Jan. 7.

He was fined $100 and suspended for 180 days. Connor has appealed both the fine and the convictions.

Youth shot after wild chase police ask aid in 'near riot'

CHICKASAW, Ala., Nov. 18—(AP)—Tommy Ray Fillingim, 22, was shot by a Chickasaw policeman early today after a wild automobile chase.

In the excitement that followed, Police Chief M. W. McWhirter summoned help from the nearby Prichard Police Department to prevent what he said appeared to be a near riot.

"Several of the Fillingim relatives who live nearby were threatening McWhirter said.

Fillingim's wife accused Patrolmen James E. Bowdoin and Johnny Manning with brutality. She said the officers attacked her husband and shot him deliberately.

Mrs. Fillingim said one of the patrolmen forced her husband against the wall while the other officer shot him. She said they then dragged him outside by his feet.

The Chickasaw police chief gave this a ccount:

Bowdoin and Manning spotted a speeding automobile and gave chase. Each time the patrol car attempted to stop the vehicle, the driver of the pursued car would try to force them off the road.

The car stopped in front of a residence and the two occupants dashed inside. The officers thought the men were Negroes, and then they heard a woman in the house scream and they dashed inside.

Bowdoin grabbed one of the men in the darkness. He later learned it was Tommy Ray Fillingim. During the scuffle Jackie Fillingim, 19, brother of Tommy, struck Manning with a beer bottle and tried to grab Bowdoin's pistol.

Manning fired and the shot struck Tommy Ray Fillingim in the shoulder. His condition was reported as fair.

Fillingim was accused of reckless driving impaired by drink, and with resisting arrest. Jackie Fillingim was jailed on charges of disorderly conduct and interfering with arrest.

Funeral Services For John L. Vann Set Sunday

Funeral services for John L. Vann, police-killed, 27-year-old World War II veteran are set for 12:30 p. m. Sunday, March 30 at the New Salem Baptist Church, 1623 Sixth Avenue North. The Rev. Free man, pastor will officiate.

A report credited to the coroner's office returned a finding of "justifiable homicide."

Vann was reported fatally shot three times around 1:30 a. m. Sunday, March 23 in the bedroom of the home he started buying while he was in Army. He was honorably discharged in 1945, his mother said.

H. O. Black, police officer, allegedly shot Vann when the latter allegedly turned on the officer with a knife. A 14-year-old sister, who said that she was an eye witness to the fatal shooting, said that Vann was shot while sitting in a chair trying to lace up his shoes.

Officer Black and his partner, Policeman J. B. Trammell were reportedly went to 1903 26th Avenue No. Vann's home, arrested his mother, Mrs. Agnes Gardner, 45, after finding untaxed whiskey in the home

Miss Sadie Ford, 20 of 1616 10th Alley North was reportedly jointly occupying a room with Vann, was arrested and held on joint-occupancy charges and as a material witness.

The body will be forwarded to Oakman, Alabama for burial with Poole Funeral Home in charge.

Veteran Killed in Bedroom

BIRMINGHAM, Ala.—Johnny L. Vann, 27-year-old World War II veteran, was allegedly shot to death in his bedroom about 1 A. M. Sunday by a Birmingham policeman.

Mrs. Agnes Gardner, mother of the slain man, said two police officers came to her home, 1903-Twenty-sixth Avenue, North, early Sunday morning, arrested her for possessing whisky, and fatally shot her son as he was putting on his clothes awaiting to be arrested.

* * *

SHE SAID her son, who worked for the Birmingham Water Works, was spotted by the police asleep in the front room as police searched their house. She said the officers awoke him and told him to get dressed quickly and then rushed her and Miss Sadie Ford, the veteran's girl friend, who was visiting, to the police car. Her son had been drinking, the mother said, and was fast asleep when police stepped into his room.

Miss Lois Gardner said she was in the bedroom when both unidentified officers struck her brother with the butt end of their pistol, drawing blood from him, and that when he did not get on his clothes fast enough he was shot three times as he sat in the chair lacing his shoes.

Police version of the fatal shooting was not immediately available.

Mrs. Gardner said she was carried to police headquarters, questioned, and "released after signing something."

Killed at His Home

It is an unhappy task to feel duty bound to comment upon the "justifiable" police-killing of John L. Vann at his home on early Sunday morning, March 23.

Official city investigators claim that the shooting officer was attacked with a knife. The victim was said to be "violently drunk" at the time. Officers, according to reports, found Mr. Vann in a bedroom in which a woman shared with him.

In one particular, this police-slaying of a Negro follows the customary he-drew-a-knife pattern. But the new x angle is that the man was reportedly killed in his home. He was a "drunk man."

Could it be that a man sleeps with a knife in his hand? Could there be more than this behind the tragedy? When a man is killed does this warrant no more than routine probe?

Difficult, and often dangerous, we reflect, are the duties of a police officer. For this reason this newspaper tries to look broadly at incidents involving police officers. Yet, the manner and circumstance under which Mr. Vann was apparently killed disturbs and shocks us.

Alabama's Tenth In 1952

Thus far in 1952, some ten Negro citizens in Alabama have been listed as shot and killed by law enforcement officers. Might even be more than we have recorded, but at that the record is a blight on us all in this state.

A teenage boy in Montgomery, Ala. last Tuesday, August 26 was fatally wounded by police bullets. Apparently the youth was unarmed. Caught trying to enter a business place, the chap fled. There is no evidence that he was either a wanted or dangerous criminal. Yet one officer of the law, according to the daily press, "fired at him with a 12-gauge shotgun, but the boy still did not stop. "Then another policeman "also fired at the boy, who fell to the ground."

A Montgomery County coroner returned a finding of "justifiable homicide." When is a shooting, whether by private citizen or agent of the law justified as a fatal shooting? When one's life is in jeopardy, or in the face of a dangerous criminal, or equivalent circumstance would there seem to be excusable grounds. Even when there could be justifiable grounds, and a life-taking could be avoidable, would not this be a better quality of law enforcement?

On August 29, Bessemer city police allegedly killed a twenty-seven-year-old man who "attempted to break into" a business establishment. "Police", according to the daily press, "shot him as he was trying to enter the building," it was reported. The victim is said to have "had a police record." There is no indication that the slain man was armed. The fact that he had a "police record" might not have been known at the time of the shooting. He was not listed by the FBI or any other level of law enforcement, so far as can be found in published accounts, as dangerous.

Possibly the same night, a white man who reportedly "made a lunge for . . . (an officer's) . . . pistol, dragging it from its holster . . . (was knocked out and brought under by) . . . a right hook." This was commendable law enforcement and shows the skilled with which some law enforcement officers do operate. He was "flattened," not fatally shot. He was white and not a Negro. He, the white man, grabbed at the officer's pistol. The Negro boy "fled" and kept running and the officers kept shooting. The Bessemer Negro was trying to enter a building, the white victim was trying to enter his hand on the officer's gun.

Over a five year period, beginning with 1948, Alabama has had 62 or more Negro citizens killed by officers of the law. One of them was killed by a Negro deputy sheriff. Obviously not all of these were unavoidable fatal shootings.

Our records show that in 1952, four Negro citizens have been killed by police in Birmingham; one each in Selma, Maplesville, Montgomery, Bessemer, Hobson City and Jefferson County. The five-year period starting in 1948, some 30 Negro persons are listed as fatally shot by police officers in Birmingham. Eleven others are listed as mortally wounded in other spots of this county.

However, it should be observed there is an abnormal string of bloodshed among Negro people themselves. Bloodshed seems to beget bloodshed. Violence breeds and feeds on violence. Basic cause for this excessive blood-letting should be a challenge to all decent-minded citizens. Unchecked no telling how high and wide this violence will spread.

Here is a problem wider than racial lines and more disturbing than a pencil-made crime wave. For bloodshed represents one of the saddest and worst types of tragedies. It strikes at a proper regard for the human being.

Widow Describes Killing

Man, 72, Slain By Cops in L. A.

LOS ANGELES—A weeping widow told the Courier Saturday that the killing of her 72-year-old husband by two plainclothesmen who broke into their home at 2:30 A. M. Friday, "was unfair and uncalled for."

Daily papers carry police reports that James Scruggs, 72, "picked up his loaded shotgun and aimed at the officers.

Mrs. Birdie Scruggs, his wife, emphatically denied this charge. She told the Courier that when she couldn't understand what the two men were saying as they broke into their home, she had grabbed an old shotgun which they had brought from their home in Arkansas.

MRS. SCRUGGS said that her husband, who had been in bed, got up and took the gun away from her fearing that she might get shot by the intruders. They did not know they were plainclothes policemen.

Mr. Scruggs did not have time to put on his hearing aid and Mrs. Scruggs couldn't understand what they were saying because of a head cold. She said she thought they said they were paper pasters.

"As my husband took the gun away from me, the gun fell and he stooped to pick it up, they started shooting at him while he was down on his knees," Mrs. Scruggs explained.

* * *

"I PLEADED with them not to kill my husband because he was a good man and only trying to protect me. He worked for me even though he was sick."

Officers R. W. Davis and F. A. Knowles fired two shots each with three of them ripping into Scruggs body.

The plainclothesmen went to the Scruggs' home to serve a warrant on the dead man's son-in-law, Jefferson Adams, "for failure to provide" and said they went there at 2 A. M. on a tip that they would find him there between 9 P. M. and 2 A. M.

13e 1952 D.C.

Launch Probe Of 'Wholesale Police Brutality

Afro-American P. 22 Dat. 3-15-52 Baltimore, Md.

Tan Cop Says Family Ganged Him Over Arrest:

By LOIS TAYLOR AND H. JEANNE TANNER

13e D.C.

WASHINGTON — A triple probe into Washington's latest case of police brutality was under way this week as the family of Alexander Green made public the details of a bloody encounter with black-jack-swinging officers of the law last Saturday night.

As Pvt. Leroy Espeut, 39, one of the six officers involved declared that accounts given the press were one-sided and exaggerated, Police Headquarters, the local NAACP, and the Federal Bureau of Investigation each evidenced interest in the case.

The officers, all from Precinct 14, are charged with kicking, punching, and wielding nightsticks against Mr. Green's family, following a fire in his home at 5206 Bass Pl., SE.

Teen-age Victims

Their victims included three persons, all still in their teens, who required hospital treatment at Gallinger after the melee and who must face charges of disorderly conduct in Municipal Court Friday morning.

Represented by Frank Reeves, well-known local attorney, the three are:

James Green, 18; his wife, Mrs. Delores Green, 19, who is said to be the mother of a six-weeks-old baby; and Alexander Green Jr., 19, a pupil at Phelps Vocational High School.

Mr. Reeves said on Wednesday that according to results of his investigation to date his clients will plead not guilty to the charges and may bring counter-charges against the police officers involved.

Officers Involved

The officers in addition Private Espeut, are: Pvts. Frederick D. Gray, Stanley E. Turner, Edwin J. Ruff, Donald R. Antonasio, and William H. Peterson. All except Espeut and Gray are white.

Meanwhile, Major Robert V. Murray, chief of police, told the AFRO that a complaint had been made to police headquarters and that officials were investigating. Captain Thomas E. Edwards of Precinct 14 also stated that he is making an investigation among his men.

E. Lewis Ferrell, NAACP attorney, has been assigned to the case by the local NAACP, and the Green family reported on Monday that they had taken the matter up with the FBI as well.

At FBI headquarters Robert J. Wick said that special FBI agents are conducting a probe to see if there has been a violation of Federal law.

Varying accounts of the fracas in the Green home were given to the AFRO by Private Espeut and Alexander Green Jr.

According to Mr. Green Jr., he rang a fire alarm box at about 9:30 p.m. last Saturday night when an overheated chimney started a fire in the dining room of his home.

By the time the engines arrived, he said, the fire was under control.

Mr. Green, Jr. reported that two colored police privates, Leroy Espeut and Frederick D. Gray arrived at the Green home, and asked his mother, Mrs. Carrie Green, how the fire started.

Neighbor Threatened

When James Stephens, a neighbor arrived, Mr. Green remarked, one of the officers, told him, in profane language, to get out or he would be arrested. Although Mr. Stephens obeyed the order, reported Mr. Green, he was shoved out of the house by an officer.

Mr. Green continued his story: "Mrs. Delores Green, my sister-in-law, told one of the officers that it wasn't necessary to use such language or to push people about. In answer to her, the officer hit her on the head with a blackjack, knocking her unconscious to the floor.

"James Green, her husband, pleaded with the policeman not to hit her again because she had just had a baby. The officer told him that if he didn't shut up, he'd be locked up.

'Send More Men

"I also saw an officer go to the scout car and tell another officer to "send all available men here."

"About five minutes later, about nine officers, all carrying blackjacks, burst into the house and began hitting me and my brother James and Delores. I don't know the names of any of the officers.

'One officer kicked me in the stomach and knocked me to the floor. In order to protect myself, I was forced into my sister's room. The officers followed me there, continuing to beat and kick me.

Beaten Unmercifully

"I got up from the floor and stumbled into the room, trying to help James, but we both had been hit so much that we fell blindly across the bed.

"I could hardly see because of the blood coming from my eyes, and I was in such pain that I begged them to leave me alone, but they grabbed us and made us walk up to 51st Street where a patrol car was waiting.

"One of the officers told us,

" 'You heathens ought to be sent back to Africa.' "

"On the way to the patrol car, the men continued to beat me, James, and Delores.

Taken To Precinct

"We were taken to Precinct 14 in the patrol car; Mrs. Green was taken in a scout car.

"On our arrival at the precinct, one of the officers who had struck us looked at me and said to the desk sergeant,

" 'That's mine.' "

"James, Delores, and I were booked on charges of disorderly conduct."



Alexander Green Jr., member of family charging police brutality.

Seigler is alleged to have seized the officer's night stick, and used a knife in an attack upon the officer. However, a knife was neither found nor seen by the witnesses to the shooting.

The $2,500 bond against Seigler was agreed upon by George Parks, legal redress head for the District Chapter of the NAACP.

John B. Diamond, assistant district attorney, appeared before Judge Nadine Gallagher, and asked for the continuance following a conference with Mr. Parks. He told the judge:

Hearing Set Nov. 8

"We are asking for a 30-day continuance. The incident involving Seigler and the officers is being investigated by the FBI, and will take some time.

"The whole matter has been looked into by myself and Mr. Bill Byrant, and has been sent to the grand jury. There is some question of Seigler's civil rights having been violated.

"Therefore, we are asking for the 30-day continuance, because we believe some disposition in the case will be made by then. Mr. Parks concurs with me on this statement."

Alleged Shot While Helpless

Seigler, according to police, was arrested by Officers Dewey H. Taylor Jr., and Arthur Patrick in Glicks' Alley about 7 p.m., Sunday, July 13.

Private Taylor stated that when Seigler attempted to assault him with a knife, he shot. According to numerous eyewitnesses, Seigler was unarmed, and was fired upon three or four times as he lay on the ground.

The medical report shows that Seigler's chest was seared by one bullet, while another bullet lodged in the left side of his head where it still remains.

Seigler's Bond Set At $2,500

Baltimore Afro-American P. 14 Dat. 11-8-52. D.C.

Hearing Moved To Nov. 28th

WASHINGTON — Ezekiel Seigler, 40-year-old laborer, who charged a policeman with brutality after being allegedly beaten and shot on July 13, was ordered held in $2,500 bond following his appearance Tuesday in Municipal Court.

A hearing for Seigler has been set for November 28.

Seigler, who has no fixed address in the District, currently is serving a 30-day sentence on a drunk charge lodged against him on Oct. 7 when he was arrested in Glicks' Alley.

Knife, A Mystery

In connection with the the July 13 shooting, Seigler is being charged by Officer Dewey H. Taylor with being drunk, and assault with a dangerous weapon in the same alley.

EPILEPTIC YOUTH UNDER TREATMENT:

Brutal Beating Is Charged To Precinct 2 Policeman

WASHINGTON

A white police officer at Precinct 2 has been accused of brutality in the alleged beating of an 18-year-old youth afflicted with epilepsy, recently.

Mrs. Dorothy Higgins, 23, of 27 O st., ne, brought the case to the attention of Cap. John B. Winters of Precinct 2 and local NAACP officials. Both started investigations immediately.

The youth, Stanley Wiseman, son of Mrs. Nellie V. Wiseman of 29 T st., nw, received hospital treatment twice during the week end.

Examined For Skull Fracture

His attorney, James E. Coggs, said on Wednesday that he was awaiting medical reports from the hospital before proceeding in the case.

Mr. Coggs stated that X-rays had been taken to determine whether the youth had suffered a skull fracture.

Mrs. Higgins told the AFRO that she and several bystanders saw young Wiseman in the custody of a police officer at North Capitol and P sts. She asserted:

"He said to the officer, 'I'm not drunk,' but the officer threw him on the ground near the callbox and told him to stay there. He hit the boy in the stomach and on the head with his stick."

'Policeman In Trouble'

Mrs. Higgins said that when more officers arrived on the scene apparently in response to a "policeman in trouble" call, she spoke to one of them who told her to report the incident to the precinct from which the arresting officer came.

Besides visiting the precinct and talking with Captain Winters, she also reported the incident to the NAACP and visited Mrs. Wiseman at her home on T st.

Has Two Children

Wife of James Higgins, a Pepsi-Cola employee, Mrs. Higgins has two children, Phyllis, 5, and Betty Lee, 6. She said:

"I was especially interested in what I saw happening, because it was someone of my own race--but if it had been the other way around, I would have done the same thing.

"I'm only trying to do what a citizen should do. It might have been one of my children."

Alert Citizen



Mrs. Dorothy Higgins, local housewife and mother, who reported to police and to the NAACP how she saw a white officer beat an 18-year-old youth whom he had arrested for drunkeness last Friday afternoon. The youth is an epileptic who was staggering on the street because he had just received medication and because he had an injured foot. Mrs. Higgins, who lives at 27 O st., ne, told the AFRO: "I only did what I think a citizen should do. It could have been one of my children."

At Precinct 2 Captain Winters said that he and his lieutenant had conferred with the arresting officer, Mrs. Higgins, Mrs. Wiseman Mr. Coggs, and Thomas B. Parks head of the local NAACP legal redress committee in an effort to make a thorough investigation of the alleged beating.

Captain Winters said that statements were also being obtained from witnesses.

He told the AFRO that the officer in the incident reported that he had arrested the youth on a drunk-and-disorderly charge because the youth was staggering on the street and "had all the appearances" of being drunk.

Had Injured Foot

The officer also charged that the youth was loud and boisterous and used profanity when spoken to, Captain Winters declared.

The precinct captain added that when the youth was brought to the precinct he himself thought that the prisoner was intoxicated. Later, however, he learned that Young Wiseman was an epileptic and that medicine given him for his condition produced symptoms which could be mistaken for drunkenness.

The youth also had an injured foot, Captain Winters stated, which could have caused him to appear to be staggering.

Taken To Hospital

"The officer apparently used bad judgment in arresting him," Captain Winters commented, "but when we saw what the situation was, the charges against him were nolle prossed and he said he had no complaint against the officer.

"However, he was later taken to Gallinger Hospital and we are awaiting medical reports from the hospital."

Friends of the Wiseman family said that the youth returned home at about 10:30 p.m. Friday, five hours after he was arrested. They said his eye was bruised and blackened and that later in the night he had to be taken to Gallinger Hospital.

Deny Drinking Charge

Released from Gallinger Saturday afternoon, the youth was returned to the hospital in an ambulance on Sunday and released again on Monday.

Mr. Coggs said that both the youth and his mother denied that he drinks and charged that at the time of the arrest he told the officer he was sick and had cards on his person showing that he attends two clinics in the city. The officer, it was charged, paid no attention, but one of the clinic cards was found at the precinct later.

3 Possible Courses

Mr. Coggs also praised Mrs. Higgins for her action, stating that within 15 minutes of the incident on North Capitol st., she was at Precinct 2, reporting the matter to Captain Winters.

In regard to disciplinary action, Mr. Coggs said, Captain Winters had explained that three courses of action are open and that the case may be taken up by Mr. Coggs and the Wisemans either through Precinct 2, the District Attorney's office, or the police trial board.

Captain Winters said that the officer involved in the case joined the force in May and attended training school until August when he was assigned to Precinct 2.

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Blackjack Terror Probed

Courier Sat. 3-15-52 P. 1

WASHINGTON—"They came in my house like they were looking for dogs . . . calling all of us black sons of b——s," said a tearful, nerve-racked, 49-year-old District of Columbia mother, as she told Courier reporters how an interracial detail of Fourteenth Precinct officers entered her home and brutally battered six of its members in a bloody ordeal of "blackjack terror." Pittsburgh, Pa

The mother, Mrs. Carrie Green, of 5206 Bass Place, S. E., was still nervous as she told her story to reporters. She said one of the officers who invaded her home was "reeking with alcohol." The brutal attack on her family took place, she declared, after police officers arrived to investigate a fire.

The Greens, a family of four sons, two daughters, one daughter-in-law, an infant niece and a seven-week old baby, are devout church people without a single previous brush with the police, since their pro-

genitor, Alexander Green, a farmer, and Mrs. Green moved here, twenty years ago.

Mr. Green, a successful farmer in Arundel County, about twenty-six miles out U. S. Route 50, was not at home, he says, when the supposed defenders of women and children arrived.

"When I opened the door of my home, it looked like a slaughter house instead of a home," said the mild-mannered father who listened in disbelief, as the members of his family unraveled the following report on what happened:

Shortly after 9 o'clock Saturday night, according to a unanimous reply b ythe family, a fire broke in the ceiling of the Green home, due to a faulty flue, and the oldest daughter, Bertha, ran to a nearby alarm box and gave the signal. Courier

By the time she arrived back on the scene, just ahead of Engine Company 27, the fire had been quelled by her two younger brothers, James, 18, and Alexander Jr., 19. The firemen proceeded to make an official investigation and, after usual procedures, said the fire had been completely extinguished. Ext. 3-15 52

The house, located on an unpaved street, typical in Negro neighborhoods of the Marshall Heights area, was the immediate objective of nearby neighbors, friends and spectators, all having come to see what the fire-call was about. A police scout car also arrived.

It is reported that Pvt. Leroy Espeut, noting the excessive nmber of people in the small, six-room house, issued the usual orders for dispersal. After asking the mother some questions about her home, the officer is said to have been displeased because some persons were still clustered in the room. Pittsburgh, Pa

Pressing his orders, the policeman is reported to have repeated his order to Green Jr., and, noting what seemed to be resentment (apparently not knowing the boy was a member of the family, and belonging to the household) prodded him with a shove.

When Green Jr. resisted by saying the officer "does not have to shove me," Private Espeut is reported to have immediately locked the boy's arms behind him, and escorted him to the waiting scout car.

At this point, Mrs. Dolores Green, mother of the seven-week-old baby and sister-in-law to Green Jr., is suposed to have made a remark about the policeman's harshness, suggesting that he could "talk more kindly than that . . ." 13e

Not to be crossed, Private Espuet is reported to have remonstrated with the 19-year-old mother who, according to her own words, had not returned to Gallinger for the usual six-week post delivery check-up.

puet cra.hed the young mother, slapped her, pushed her down and, as she fought back, grabbed her by her hair and dragged her toward the scout car, saying, "I'll lock your d—m a—s up!"

He had almost dragged her to the car when her husband, 18-year-old James, called out to him, "Turn my g——m wife loose, she just come out of the hospital!" With that, he forced his way between the policeman and wife, just as an unidentified scout car policeman companion of Private Espuet told the principals to "break it up!" 13e

Private Espuet is reported to have rushed to his car and issued a riot-squad call, noting that "they," the family, had taken advantage of a routine police action.

According to the senior mother, the terrified family gathered in a middle room when the rioters, led by Private Espuet's interrogation of " . . . Where are the s.o.b's?" broke into their home with blackjacks thudding against human heads.

A white officer is reported to have leveled a gun at the senior mother, while two other white mates proceeded to kick the lock off a door that led to a side room. A blackjack caught the junior mother flush against the head and she fell like a person who had been shot. While feet trampled upon her, James, her husband, tried to pick her up, only to run into a reported onslaught of police resistance.

He was driven into a back room beside his brother, Alexander Jr., who had just warned one of the policemen, by yelling, " . . . Don't hit my mother with that blackjack!"

One of the officers is alleged to have yelled back, asking the question, "Is this the one?", indicating Alexander Jr. A nod of assent alegedly brought a policeman's foot against the high school boy's stomach, and a terrific blackjack thrust against the left eye felled him. He began screaming, "I can't see! I can't see!"

The family found itself overmatched by the hard-hitting officers, who broke two chairs in the back bedroom, battered 14-y ar-old Nina to the floor, and left blood smeared against the walls, over bed linen, and on the spattered floor.

Miss Bertha Green, 20, claiming Private Espeut seemed bent on giving her a "personal" beating says he ran into the bathroom Her screams started, she said when those men began beating her younger brothers to the floor.

She was trying to pick up one of them who was prone and groaning, according to her version, when the police turned upon her. She said one of Private Espeut's wild fist swings missed her and hit the bathroom door facing, stirring him to greater anger and increased intemperance.

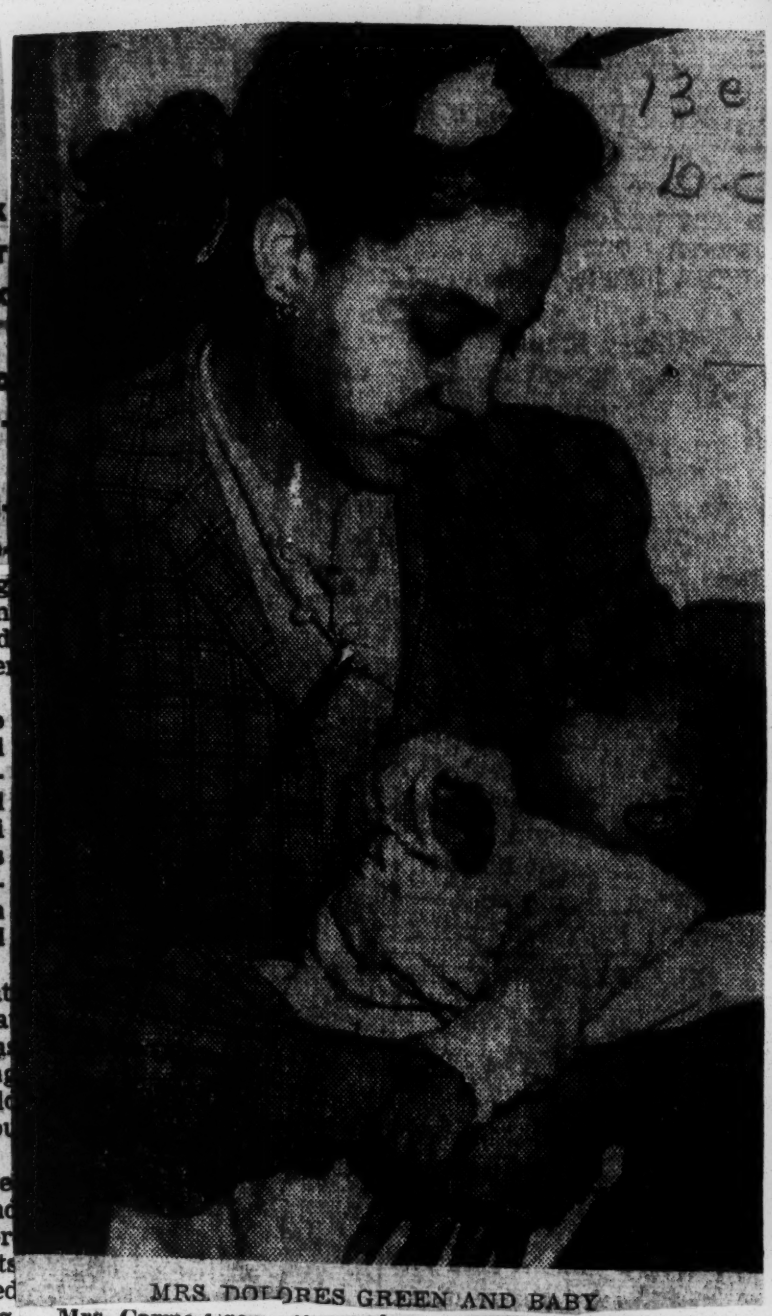
White officers, joined in the attack, reportedly hurled insults at the prisoners, describing them as " . . . all of you heathen . . . living up here like Africans; you should all be back in Africa where you belong."

Arrived at the Fourteenth Precinct where Dolores, James and Alexander were booked on disorderly charges, the family insists that Private Espeut subjected Alexander to a terrible slugging, boasting, according to them, that "this one (pointing to Alexander) is mine."

The policeman is reported to have taken off his coat and gun; then to have manually disciplined the Phelps High School pupil. James claims he was advised not to look at what was being done to his brother.

After the father, Alexander Sr., arrived with the $75 collateral, the trio was carried to Gallinger Hospital and treated. They claim they were carried to the Eleventh Precinct, in Anacostia, just as the mid-night change in detail was being effected.

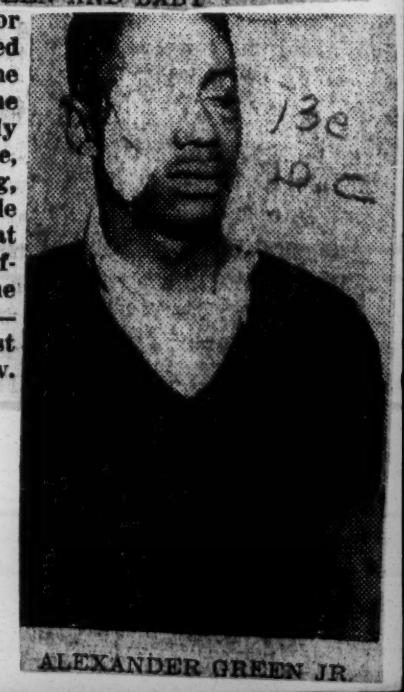
Later, remembering that Mrs. Dolores Green had never been actually treated at Gallinger, officials of that hospital suggested that police officers bring her back to the emergency room.



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MRS. DOLORES GREEN AND BABY

Mrs. Carrie Green, the senior mother, said everybody noticed a strong whiskey odor on the breath of Private Espeut. She said no member of her family has ever been arrested before, and that they are church-going, tax-paying, respectable people who attend services regularly at the First Baptist Church, Fiftieth and B Streets, S. E.—the Rev. William Tyler, pastor — and at the St. Lucile Methodist Church, pastored by the Rev. Mr. Diggs.



13e D.C.

ALEXANDER GREEN JR.

Police Pvt. McFadden Cleared by Jury on Brutality Charges

Pvt. Francis X. McFadden of No. 3 Precinct was found not guilty yesterday by a Municipal Court jury, which tried him on a charge of assaulting a prisoner by breaking his wrist with a night stick. The jury deliberated less than an hour.

Pvt. McFadden, 26, told the jury he had used his baton on Andrew J. Cook, colored, a parking lot attendant, but only after the man cursed him, struck at him with his fist and made a threatening gesture toward his pockets.

Mr. Cook, who lives at 1241 Tenth street N.W., suffered a broken right wrist and bruises. The trial opened last Friday and the jury received the case at 4:20 p.m. yesterday.

Jurors Instructed.

Judge Milton S. Kronheim, jr., instructed the jurors they must ask themselves if the policeman's use of his baton was "reasonable."

The judge pointed out that officers are permitted to use their clubs in making or maintaining arrests, provided they do not use them "more than necessary."

Pvt. McFadden said he struck Mr. Cook with his baton on two occasions; once on the parking lot, where the man was employed at Seventeenth and DeSales streets N.W., and again while they were waiting at a call box for a patrol wagon.

The officer said he hit Mr. Cook first when the latter cursed him and took a swing at him with his fist. He struck him a second time at the call box, Pvt. McFadden said, because Mr. Cook disregarded an order to remove his hands from his pockets.

The parking lot employe had a small pocket knife in his possession at the time. The officer said he struck Mr. Cook across the wrist as a "safety measure."

Charges Other Blows.

The complaining witness, however, declared the officer broke his wrist as he was taking him in a side door at No. 3 Precinct, although he had struck him with the night stick on the parking lot, at the call box and again while they were riding in the patrol wagon.

Pvt. McFadden denied he struck his prisoner in the wagon or at the precinct. Police officers on duty at the time testified they neither saw nor heard anything of an unusual nature at the station while Mr. Cook was being booked.

Pvt. McFadden's superior officer, Lt. Francis H. Dunn, said the policeman made an oral report to him that he had been forced to strike a prisoner to maintain an arrest and that he ordered the officer to make out a written report. This was done, it was said.

NAACP Probes New Brutality Case

Man Says Officer Used Undue Force In Arrest

WASHINGTON

The local NAACP was investigating another case of alleged police brutality, this week, as Charles Harvey Hayes, 39, charged a white policeman of Precinct 4 with using unnecessary force in making an arrest for a traffic violation.

Mr. Hayes, who has a fish and poultry store in the 1600 block of Seventh St., nw, was arraigned before Judge C. Barlow in Municipal Court on Saturday.

Charged with a traffic violation and disorderly conduct, he was represented by Mrs. Dovey J. Roundtree, attorney, who requested a continuance to Aug. 19. His bond was set at $500.

Saw Bruises, Gash

Present at the arraignment were Mrs. Constance Daniels, executive secretary of the NAACP, and H. Carl Moultrie, also of the NAACP.

Both saw bruises on Mr. Hayes' arm and a gash on his face which he said he suffered while being arrested at 12th and Main Sts., sw, between 5 and 5:30 p.m. on Friday.

Mrs. Daniels said that Mr. Hayes told her he was returning in his car from purchasing some fish at the waterfront market in Southwest when another auto cut across in front of him, causing him to put on the brakes suddenly.

'Move On, Boy!'

He was approached by an officer [illegible] explain, he stated, the officer said, "I think I'll take you in," and took him to a nearby call-box.

According to Mr. Hayes, the policeman held a gun at his back and kept pushing him up against the call-box, although Mr. Hayes protested he was not resisting arrest.

Mr. Hayes then struck the officer, it was reported, and in the melee which followed, three white passing motorists stopped to aid the police officer. Three scout cars and a motorcycle policeman also arrived on the scene.

Beaten With Night Stock

Mr. Hayes charges that the policeman continued to beat him with the night-stick all the way down the block to the scout car, until another officer reached up and pushed the night-stick away.

An eye-witness of the incident called the NAACP and several other eye-witnesses have also been located, Mrs. Daniel reported. She said that the NAACP will complete its investigation within the next few days and, if the evidence warrants it, will file a complaint with the police department against the officer.

Pvt. Walter T. McDonald is reported as the arresting officer.

Policeman Acquitted Of Sailor's Charge of Blackjack Beating

Police Pvt. Claude B. Siler yesterday was acquitted of charges that he blackjacked a sailor, Yeoman James A. Whitehead, 22, colored, following the latter's arrest on a charge of carrying a concealed deadly weapon May 6, 1951.

The District Court jury of 11 men and one woman deliberated for one hour before returning the verdict at 11:55 a.m.

After the verdict was announced Judge Alexander Holtzoff, who presided at the trial, told the panel: "The court has no doubt as to the justice of the verdict."

Lone Juror Holds Out.

It was learned that the lone colored member of the jury held out for a guilty verdict. The juror, Lester Gaskins, 54, an elevator operator of 1905 Ninth street N.W., told reporters:

"It was 11 to 1 all the way. I was the one who held out."

Asked why he finally voted for acquittal, he replied, "Well, we could have argued all day. To prevent us being 'holed up' I voted not guilty."

After the jury left the courtroom, Judge Holtzoff asked Assistant United States Attorney John W. Fihelly if he thought it advisable to consider prosecuting Whitehead on concealed weapons charges.

Mr. Fihelly said later that records in the case would be sent to United States Attorney Charles M. Irelan for a decision.

Seaman Testifies.

The seaman had testified that Pvt. Siler hit him about 10 times with a blackjack. The alleged assault, the sailor contended, occurred in the rear of a police car, after Yeoman Whitehead was arrested on concealed weapon charges as he left Camp Sims target range on Alabama avenue S.E.

On the witness stand Tuesday, Pvt. Siler, who had been cleared of assault charges by a police trial board, denied he had struck the sailor.

"I didn't have a blackjack," he asserted. "I still don't have one."

PASTOR STRIKES BACK AT FLORIDA'S CRITICS

Commercial Appeal

Flays 'Hate' Group, Points To Sheriff's Slaying

LEESBURG, Fla., Jan. 20.—(AP)—A minister Sunday accused "a racial hate organization" of stirring up trouble in Florida when a sheriff killed a Negro—but saying nothing at all when a Negro killed a sheriff.

The charge was made by Lloyd King of Orlando, chaplain of the Florida Peace Officers Association, in an address prepared for radio delivery over the Liberty Broadcasting System.

Chaplain King mentioned only Sheriff Willis McCall of Lake County by name, but the other case he referred to involved Sheriff Edward Porter Jr. of Marion County. He did not specifically name the race organization.

Porter was shot and stabbed to death last July, and 16-year-old Orion Johnson admitted during the trial he had done it when Porter questioned him about a bad check. He was convicted, but his death sentence was appealed.

The case made little, if any, stir outside Florida.

The McCall case, however, which began with the rape of a Lake County farm wife two years ago, has been reverberating ever since.

Four Negroes were accused of the crime. One was slain by a posse. Three were convicted, but one was sentenced to life because he was only 16 at the time. Death sntences to the other two were appealed to the United States Supreme Court, which sent the case back for trial, prsumably because no Negroes were on the trial jury.

The two—Samuel Shepherd and Walter Irvin—were being taken from State's Prison to Tavares in Central Flroida last November for a rehearing when Sheriff McCall shot Shepherd to death and wounded Irvin. He said they attacked him and tried to escape. He was acquitted by a coroner's jury.

FLORIDA POLICE KILL HIT-RUN SUSPECT; NAACP CALLED UPON

Suspended Policeman Says Victim "Started Scuffle"

HOMESTEAD, Fla. — (Interstate Press) — An intensified investigation and probe was made here Friday into the Christmas day killing of Emmett Jefferson, 30, local resident, by City Police Officer Paul Minnick. More than 15 witnesses—white and Negro—testified.

After reports that a speeding automobile had forced a woman driver off the road, Officers William Fasulo arrested Jefferson at the home of a friend in Florida City. He said Jefferson escaped in his car. Fasulo gave chase and radioed Homestead police to set up a road block.

Jefferson's car went around the roadblock, and Officer Minnick and Sgt. J. C. Arrant joined Fasulo in the pursuit.

Fasulo arrested Jefferson as he pulled into the yard of his home here.

Fasulo said Jefferson "started to scuffle" and Minnick shot him down. Three of four shots fired by Minnick struck Jefferson.

Jefferson's father, one of a dozen witnesses to the shooting, said, "I pleaded with him not to shoot and he kept shooting and yelled at me: "get back, you old man, or you'll get the same."

E. F. (Bob) Lasseter of Sheriff J. B. Henderson's Criminal Bureau of Investigation, interrogated the witnesses in a closed session at which newsmen were barred.

Patrolman Minnick is under suspension pending an inquest before Peace Justice Vernon Turner, the dead man's parents called on the National Association for the Advancement of Colored People for help.

James Jefferson, father of the dead man, asked Dr. Godfrey W. Hawkins, 1018 N. W. Second Avenue, Miami, for an NAACP investigation. Hawkins is president of the Miami chapter.

Dr. Hawkins, a Miami dentist, asked Howard W Dixon, white attorney for the Miami group, to conduct the investigation and make recommendations for possible forwarding to the NAACP.

"If there is any possibility of violations of the federal Civil Rights act, the NAACP may even go beyond the state courts and ask the Federal Bureau of Investigation to come into the case," Dixon said.

Dixon added that the investigation would be cautious, yet thorough and if the facts determine that "injusice has been done," the NAACP would act to aid the family.

Lasseter did not disclose any of the testimony taken by an official court reporter.

The testimony will be compiled into a report and submitted to Peace Justice Turner. Turner indicated that he would not set an inquest date until the report is received. He said that it probably would be ready Monday.

Groveland Case

13e Fla —

Jury Frees Fla. Sheriff

JACKSONVILLE, Fla. — The shooting of two Negroes, involved in the infamous Groveland rape case, by a Florida sheriff and his deputy was literally written off the books here Friday as a Federal grand jury returned a "no true bill" in favor of Willis V. McCall.

McCall, sheriff of Lake County, was cleared of any wrong doing by the jury in the slaying of Samuel Shepperd, 24, and the shooting of Walter Lee Irvin, 24, while the prisoners were being transported to Tavares for a hearing on a motion in a retrial ordered by the U. S. Supreme Court.

The jury had been charged by Judge Byron Simpson to inquire into a complaint that the sheriff and his deputy, J. L. Yates, had deprived the suspects of their civil rights, the right to trial by jury.

McCall had claimed that the auto in which he was transporting the men to Tavares had a flat tire and that the prisoners attacked him as he waited for help to change the tire. Irvin, who had been left for dead, charged that the sheriff deliberately fired at both him and Shepperd without provocation.

NAACP investigates shooting in Florida

HOMESTEAD, Fla., Dec. 27—(AP)—The National Assn. for the Advancement of Colored People began an investigation Saturday into the fatal Christmas Day shooting of a Homestead Negro motorist by a city policeman.

Emmett Jefferson, 30, was shot down in the yard of his home by Patrolman Paul Minnick. The shooting climaxed a wild automobile chase which started in nearby Florida City after a Negro had forced a woman driver off the road.

Minnick was suspended pending settlement of the case. E. F. Lasseter of the sheriff's Criminal Bureau of Investigation talked to 15 white and Negro witnesses at a closed hearing in the City Hall here Friday.

AFTER REPORTS a speeding automobile had forced the woman driver off the road, William Fasulo, Florida City officer, arrested Jefferson at the home of a friend there. He said Jefferson escaped in his car.

Fasulo gave chase and radioed Homestead police to set up a roadblock. Jefferson's car was around the block and Minnick joined Fasulo in pursuit.

It ended in the yard of Jefferson's home here. Fasulo said Jefferson "started to scuffle" when the officers tried to arrest him and Minnick shot the Negro three times.

13e 1952

Florida

FLORIDA POLICE KILL HIT-R N
SUSPECT; NAACP CALLED UI N

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13e Fla.

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13e 1952 Georgia

Colored Policemen Here Charged With Brutality

COLUMBUS, Georgia — A group of Columbus Negroes appeared before the City Commission Tuesday morning and charged the city's Negro policemen with mistreating local colored residents.

They also charged the Negro police with drinking on the job.

Approximately five of the dozen complaining witnesses told the Commission of alleged brutality on the part of the Colored policemen.

Added to the city police force and patroling "beats", in the Negro sections this year to maintain order, the four officers were defended by Safety Director Tom Erwin, Jr.

The Commission ordered Mr. Erwin to make a thorough investigation of the charges.

INVESTIGATION ORDERED

Mayor B. F. Register said that if the officers are not guilty of the charges, the Commission should "back them up.'" If they are guilty, he added, the alleged wrong doings should be stopped.

The first accuser to appear before the Commission was a woman who said that a Colored patrolman "slapped me just as hard as he could," when she asked why she was being arrested. She went on to say that she was pushed, shoved knocked unconscious and was dragged to the patrol wagon, the results causing some bad bruises.

Two other women corroborated her testimony, one adding that she had "seen colored police drinking whiskey."

SLAPPED BY OFFICERS

Another woman said that a Colored policeman slapped her. She continued, "You can't walk the streets for them jumping on you and beating you up."

She testified that she smelled whiskey on the breath of a Colored policeman.

Mr. Erwin said that the police captains and sergeants check the colored policemen on duty from time to time and any drinking on duty would have come to their attention.

The Safety Director declared, "I think that statement of her's was unfounded."

A male accuser, explaining his brushes with the law in detail stated that a colored officer once slapped him softly.

The man continued that on two other occasions colored police struck people "trying to get information," and he said that he'd seen Negro police "beat up innocent bystanders.'

Mr. Erwin described the first accuser to appear as "the worst woman in the Negro section,' and said that she had frequently given the officers trouble.

He asserted to the Commission that the woman "fought the arresting officer from the house to the street and cursed him on in the street." A local pastor who had witnessed the incident said that the arresting officer had cause to strike her.

The Safety Director cited the record of the man and said, "That's the type of people that we have here this morning."

Mr. Erwin told of being in the police station a few days ago when two officers brought in a "very drunk and very belligerent Negro woman" who cursed them and resisted arrest.

"I have never seen two policemen more bedraggled," he stated. "They used good restraint, and I don't think that they ought to have to put up with that kind of treatment."

He went on to say that he has kept a close watch on the city's recently added four colored policemen and he hasn't heard an "official complaint" until last week.

Negro leaders have praised their work, he asserted, and one citizen stated that Eighth Street has been as orderly as Broadway since the patrolmen have started policing Negro sections.

Commissioner Jesse Binns noted that he has heard that Negro policemen handled arrested Negroes rougher than white policemen did.

"That used to go on when we had white policemen,' Mr. Binns said, "but when we hired colored policemen, we thought that would stop."

Negro policemen make more arrests, Mr. Binns pointed out, because they constantly patrol Negro sections, whereas white policemen went to Negro sections mostly when called.

He also heard, Mr. Binns recalled, that some Columbus Negroes said they're not "going to let a Negro arrest them."

Recalling that the Commission hired Negro police for colored sections upon the request of local colored citizens, Mr. Binns told the group, "It looks like you don't want anybody to police you."

The spokesmen did not make it plain which of the four patrolmen were referred to in the complaints.

Law Against Police Brutality Needed

Once again a federal grand jury has found it necessary to return indictments against Southern peace officers who had taken an oath to uphold the law. The latest instance of lawmen violating their code of honor happened in Middle Georgia where Sheriff W. E. Henson, of Marion County, his son, Sheriff Clyde Chester Henson and Sgt. Brown Jordan of the State Highway Patrol are accused of beating a man and woman and jailing them in violation of their constitutional rights.

It is significant that these indictments came after the State of Georgia failed to take cognizance of the treatment of these citizens. Here was a states' right issue but plainly the state failed to fulfill its duty of punishing those who commit wanton and unlawful acts upon citizens. States' rights should rest upon states' responsibility. When the state fails to assume its responsibility then federal intervention becomes urgent. Hence the indictments.

The nation-wide ferment over civil rights generally is predicated upon lawlessness, instigated or overlooked by peace officers. Likewise violence is given impetus when lawmen shun their duty or look the other way.

There should be prompt action by the State of Georgia to stamp out police-sanctioned violence. However, it is welcome news that the federal government has acted. Stiff jail sentences should be meted out to these offenders if the evidence warrants it.

The indictments issued at Macon should be a solemn warning that the federal government will not stand idly by and permit inhuman treatment of minority citizens.

The two-count federal indictment against the trio charges that "acting under the color of law as peace officers" the men went to the residence of Alvertis Davis, took him to jail and beat him with a rubber hose and other weapons. The indictment further charges the three men then jailed and beat Margaret Miller Holloman. Davis was hospitalized following the beating.

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Youth, 17 Years Old, Shot By 2 Policemen

Mentally Deranged Boy Treated At Grady, Booked By 2 Officers

BY GEORGE COLEMAN

A 17-year-old mentally deranged youth was listed in "poor" condition last night at Grady Hospital where he has been interned since September 15 for treatment of several bullet wounds and three broken limbs while under guard and charged with assault to murder two white police officers.

James Jackson, 17, of 793 Neal Street, N. W., a tenth grade student of Booker T. Washington High School, was shot several times within a few hundred yards of his home by two policemen, who in their report requested that he be detained on a charge of assault with intent to murder.

The youth's grandmother, Mrs. Myrtle Cothern said she last saw James running down Neal Street, N. W., chasing two cats, one of whom looked "just like my old cat Missy."

The youth, son of William O. Jackson and Mrs. Louella Jackson, was shot about 12:58 A. M., September 15 on Neal Street, N. W. between Paynes Avenue, and Oliver Street, police records show.

Grady Hospital listed the youth as James Jordon. But his grandmother explained he was actually Mrs. Jackson's son by former marriage.

A written report signed by Patrolmen M. J. Spears and R. J. Walker charges that the youth, clad in pajamas, attacked them with two bricks while they were talking to the driver of an auto they said they had stopped because of improper lights.

But the youth's grandmother, declared Monday that James had only "small" rocks in his hands which he had used minutes before to chase cats that were fighting on their front porch.

Mrs. Cothern said James and she were sitting on their front porch late Sunday. James, she said, was barefooted and clad only in pajamas.

The family — including the oldest child, May Will, who attends a local college, the youngest, Mr. a year old Ryan, the mother and the father had retired after watching a series of stories on a television screen.

Two cats, prowling the neighborhood, got into a fight, Mrs. Cothern said. James, she related, remarked: "That sounds like my old cat, Missy."

The youth then got two rocks to chase the cats, who had come on the porch, the grandmother said. He threw one of the rocks down a side yard at one of them and then ran down the street.

Convicts Stage Another Riot At Ky. Pen.

EDDYVILLE, Kentucky — A group of disgruntled convicts staged another riot Friday at the Kentucky State penitentiary, the second in 36 hours, but prison officials quickly broke it without any fighting.

Jess Buchanan, the tough 6 foot 8 inch, 300-pound warden, said no one was injured and there was little resistance as guards moved into the Commissary where the new disturbance occurred.

Buchanan said:

"A group of 25 punks broke into the Commissary and damaged some of the stuff that was not damaged in Thursday's riot. Everything was brought under control in about 25 minutes."

The warden said an investigation is being made to determine the motive for the latest riot and that the ringleaders will be punished.

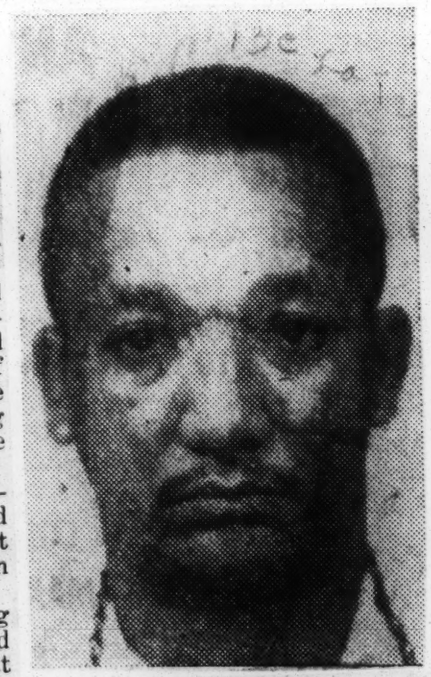
A guard and eight prisoners suffered minor injuries in the first riot, lasting eight hours. That disturbance, created by some 300 mutinous inmates after failure of power for radio sets in their cells, ended when the prison chaplain, the Rev. Paul Jaggers, urged the men to surrender.

Before capitulating, the convicts had wrecked the Commissary, a garment factory and a mare house. They also released the foreman of the factory and two guards who were seized as hostages in the prisoners' demand for "better conditions."

Buchanan estimated the damage in Thursday's outbreat at $3,000.

NOPE Worker Charges Gestapo-Like Flogging, Abuse By N. O. Police

A 34-year-old employee of the New Orleans Port of Embarkation who is a partially disabled veteran of World War II, charged in a statement this week to his legal counsel that he was the victim of gestapo-like tactics by members of the police department on the morning of August 28, when he was allegedly beaten, stomped and kicked unmercifully at the Third Police District and show-up room after he was arrested pending investigation of molesting a white female juvenile.



The victim gave his name as:
OTIS RUSHING, 3210 Gravier.

The father of three children appeared with his attorney, Earl J. Amedee, in Municipal Court for arraignment before Judge Harold J. Moore and pleaded not guilty to the charge of disturbing the peace relative to molesting a juvenile. He denied the charge.

Rushing was originally booked on an open charge which his attorney declared was unconstitutional because it deprived his client of his personal freedom in that he was held 72 hours without being allowed to even make a telephone call to relatives.

He told reporters he was arrested by Patrolmen P. Calegora and J. Campbell upon the complaint of a child in the 600 block of South Rendon street.

It was revealed that Rushing lives in a mixed neighborhood which is predominantly white, that he has worked for the NOPE since 1945 and that he has owned his home at the Gravier Street address since 1947.

Arraigned Monday, Rushing appealed for a trial but one of the arresting officers requested a delay because the juvenile was too nervous to appear in court.

Before Judge Moore, Amedee questioned the date on the affidavit which said the offense occurred on August 26. Amedee made a motion that the affidavit be quashed, but the judge overruled the motion and allowed the city officer to make a new affidavit.

Counsel for the defense then made a motion to dismiss the case because the arrest of Rushing was illegal from its incention. Reason was that if the affidavit as written was defective then the only grounds for arrest according to the Louisiana Code No. 59 would be on a warrant of arrest. The counsel contended that there was no warrant of arrest.

Therefore the arrest was illegal. The judge overruled the motion because he felt the evidence should have been presented. The defense reserved an exception to the ruling.

Date of the trial was not set.

Penniless Mother Keeps Virgil By Bedside Of Vet Son Shot By Cop

NEW ORLEANS — Mrs. Ida Jones of Pine Bluff, Ark., arrived here last week penniless, without food, shelter and barely clothing, to be near her World War II veteran son, who was recently shot by a policeman.

Kind-hearted Charity hospital authorities have allowed her to stay at her son's bedside and nurses have pitched in their pennies to help feed her.

The woman's son, Waire, had been employed here until two months ago as a cook.

According to police, several residents observed Waire acting strangely and that on Aug. 14 Mrs. Marguerite Boute telephoned the police and described his actions.

Police reportedly told her to call the coroner's office and have Waire committed. Mrs. Boute said the coroner's attache said nothing could be done by that agency for Waire because he was an "out-of-towner," but instructed her to telephone police and have him picked up for disturbing the peace.

Another telephone call to police brought no results, Mrs. Boute said. Four days later Waire was shot in the stomach by Patrolman Hubert Badeaux who said Waire charged him with a knife. The seriously wounded veteran was taken to Charity hospital and charged with aggravated assault on Badeaux and attempted aggravated escape.

The case was referred to the New Orleans NAACP. Arthur J. Chapital, sr., president, conferred with District Attorney Severn T. Darden who asked Dr. Nicholas J. Chetta, coroner, to order Waire examined by a psychiatrist. Last week, the examiner revealed that Waire is "suffering with a psychosis, type undetermined.

Chief, Coroner Blamed In Shooting Of Mental Patient

Chief of Police Joseph L. Scheuering and Dr. Nicholas J. Chetta, coroner were cited as the blame by the New Orleans Branch of the NAACP for the shooting of Sam Waire on August 19, by Patrolman Badeaux.

In a letter written by the NAACP over the signature of A. J. Chapital, Chetta and Scheuering were told:

"The wounding of Waire . . . points up the need to clarify procedure to commit a person for psychiatric examination.

"One of the accounts of the shooting by the press colored the facts to the extent that Waire was shown as a dangerous criminal rather than a man mentally ill.

"While the officers may have felt that they were performing their duty by apprehending an unreasonable and dangerous person, there is a marked difference in shooting a criminal and a neuropsychotic.

"The responsibility for the shooting of this veteran whose infirmity was service incurred, lies in the failure of the coroner's office and the police department to act when requested on August 14, 1952."

Dr. Chetta was specifically asked why his office failed to act on the call of Mrs. Boutte that Waire be committed to the House of Detention on August 14.

Chief Scheuering was also specifically asked if there were any legal reason why a police officer cannot arrest a person upon complaint and book him with disturbing the peace or some like charge pending the coroner's investigation?

"We cannot accept the fact that Waire was from out of town an excuse. The people of New Orleans are entitled to know why both the coroner's office and the police department made no attempt to apprehend a mental patient which resulted in his being shot and endangering the lives of the citizenry", the NAACP concluded.

13e 1952

Maryland

Father Of Ten Suffers Beating

afro-American.

13e Md-

BALTIMORE

The beating of a 35-year-old father of ten children by a Northwestern district policeman has caused an investigation by high-ranking police officials.

Police Commissioner Beverly Ober on Monday was studying reports by officers involved in the arrest of Otis Dickerson of the 1100 block Park ave., whose leg was broken in two places when arrested on Oct. 17.

Disorderly conduct and assaulting an officer charges were brought against Dickerson after his arrest in the Baltimore and Ohio Railroad park at Brevard and Howard sts.

Taken with him were Nelson E. Bond of the 600 block Truxton ct. and a white woman identified as Miss Montez E. Neally, no address given.

Drinking Party Claimed

The arrest of the trio in what officers called "a drinking party" took place about 1:15 a.m. on Oct. 17. At a police court hearing that day the Neally woman was sentenced to 60 days in jail on vagrancy and disorderly conduct charges. Bond was fined $15 and costs.

Dickerson's case was postponed because he was undergoing treatment at University Hospital. When it came up the next day, Magistrate E. Everett Lane postponed it again in order to bring Bond back as a witness after Dickerson testified he had been struck unnecessarily.

'Too Much Force,' Lane Says

Declaring after a trial Friday that "a prisoner may use force in self defense if an officer takes undue liberties, Magistrate Lane said that he believed that "too much force" was used during Dickerson's arrest.

Among the officers involved are:

Patrolman Claude Mullis, who testified that he arrested the trio after an earlier warning to "move on" from a park bench, and called for a cruising patrol car;

Officer John Bromwell, whom Dickerson identified as the officer who broke his leg with a night stick after he was asked: "What're you black so and so's doing out here with a white woman?"

Keeny Claims Blow

Officer Russell Keeny, Bromwell's radio car partner who admitted that he struck Dickerson as they were entering Northwestern police station after the prisoner tried to hit him.

A total of five Northwestern district officers and two Central district policemen were on the scene of Dickerson's arrest at one time or another.

Leg Broken Twice

Dickerson, who accused Officer Bromwell of striking him twice on the leg while in the park, appeared in court Friday on crutches.

A large cast, covering his right foot and extending up his leg above the knee, bore a diagram showing that the leg had been fractured once just below the knee and again across the shin.

Officer Bromwell, who said that he and Officer Keeney went to the park after getting Patrolman Mullis' call that "two colored men and a white woman were staging a drinking party," denied hitting Dickerson at all.

Hit Once, Officer Says

Officer Keeny said he hit him on the leg once, but that this was at the station house, not the park.

Milton Allen, attorney representing Dickerson on behalf of the NAACP, questioned the officers sharply as to just what was taking place when they arrived on the scene, and as to how many times Dickerson was struck and where.

"It seems unreasonable," he said at one point, "that a man with an opportunity to fight in the park would wait until he arrives at the station."

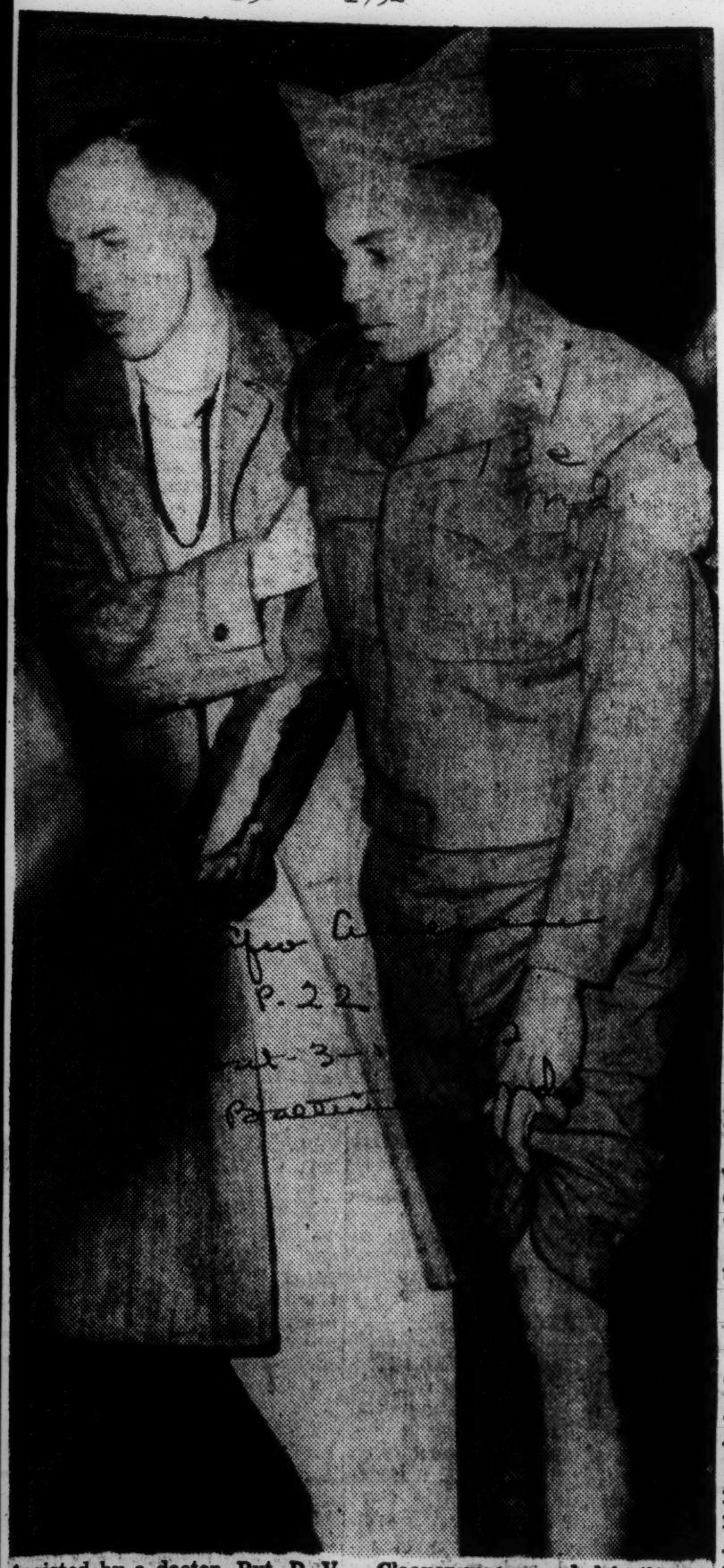
Story Different

Dickerson claimed that he had not been drinking with the others at all, but that he was passing through the park from his home nearby, enroute for hamburgers and an early morning paper, when he met Bond, a friend of his.

Magistrate Lane gave him a suspended fine of $25 and costs on the disorderly conduct charge but dismissed the charge of attacking an officer.

A driver for a contracting firm, Dickerson is a native of Aiken, S.C. He has lived in Baltimore for 27 years, except for a two-and-a-half year period he spent with Army engineers during World War II.

Mr. Allen, his attorney, said that further legal action will be taken in the man's behalf.



Assisted by a doctor, Pvt. D. V. Cleaver Jr., one of four persons shot by a military policeman on Second St. early Sunday morning, is led to an ambulance. Pvt. Cleaver was wounded in the left knee when the jittery MP fired four shots. Order was restored when civilian police reached the scene in Richmond.

Army Probes Second Street MP Shooting

Bystander Wounded, Quick-Trigger Army Cop To Face Hearing

RICHMOND

Pressed by indignant citizens, the Second Army has ordered an Inspector-general investigation into the Sunday morning shooting of four pedestrians by a military police sergeant.

The aroused citizens, sparked by the NAACP and businessmen of the 500 block N. Second St., where the shooting occurred, sent a delegation Monday to visit Col. William Hones, chief of the Virginia Military District.

Ask For Integration

The interracial committee asked that military policemen assigned to the area in the future consist of a colored and a white MP working as a team; and that the MPs be given a training course in the handling of minority groups. At present no colored MPs are assigned to the area.

First reports of the shooting were that MP Sgt. Albert J. Clarke, white, fired into the air when a crowd of some 200 persons threatened him as he sought to arrest a colored soldier.

Girl, 18, Wounded

Wounded were:

Pvt. D. V. Cleaver Jr., of Fort Eustic, shot in the left leg; Miss Julia Jasper, 18, of 1809 Rosewood Ave., shot in the left knee; Pvt. Edward March of Fort Lee, shot in the right thigh, and James Terry, a civilian of 2224 Seminary Avenue, wounded in the right shoulder.

An AFRO investigation uncovered several witnesses who said Sgt. Clarke fired into the pavement when four soldiers, friends of the arrested GI, approached the MP. These witnesses said Sgt. Clark fired downward, waving his pistol in a semi-circular motion and yelling "Get back, get back."

Scott Rescues MPs

The crowd threatened Sgt. Clarke and two MPs with him after it was learned that a woman had been shot. A riot and further bloodshed was averted by the timely arrival of George W. Scott, of 506 N. Henry St., a night watchman, who held the angry crowd at bay with his gun until police arrived, thus saving the MPs from bodily harm.

No Knife Seen

Police said charges will be placed against Sgt. Clarke after the investigation has been completed and he will stand trial in a civilian court.

The AFRO was unable to find witnesses who substantiated Sgt. Clarke's statement that one person in the crowd brandished a knife.

$50,000 Damage Suit Filed Against Officer

BALTIMORE

Attorneys of the NAACP today (Friday) filed suit for $50,000 against a Northwestern District policeman on charges of shooting a Morgan College student in September of last year.

Patrolman Joseph Tomshack, 24, 400 block E. Hamburg St., defendant in the suit, was recently commended by police commissioner Beverly Ober for meritorious action.

Attorneys W. A. C. Hughes and Juanita Mitchell filed the suit in Baltimore City Court in behalf of Murl "Gene" Coplin, 20, 508 Pulaski St.

Suit States Coplin Crippled

The suit charges that Coplin has been permanently crippled as the result of a bullet fired from the pistol of Patrolman Tomshack.

A sophomore at Morgan College, Coplin was a track star while at Douglass High School. The damage suit also charges that Coplin has been unable to pursue a promising athletic career because of the wound he received.

Hit In Leg By Bullet

In September, 1951, Coplin was standing on the corner of Harlem and Fremont Aves., talking to some friends. Suddenly a police car drove up, Tomshack and John Pumphrey ran toward the group of boys with drawn guns.

The boys became frightened and ran when they saw the policemen. Coplin was shot in the leg by a bullet believed fired from the gun used by Tomsnack.

The policemen were investigating a drug store holdup at Myrtle Ave. and Hoffman St. when the shooting occurred.

David Mermelstein, the druggist gave police a description of the bandits as wearing straw hats, light colored shirts, and light pants.

At the time of the shooting, Coplin wore a dark green Army fatifue cap and a navy blue shirt.

Criminal Charges Dropped

Criminal charges of assault were preferred against Tomshack after the shooting. In Northwestern Police Court before Magistrate John L. Berry, the police officer waived a preliminary hearing and requested a jury trial.

When Tomshack appeared before rhe grand jury, however, the charges against the police officer were dismissed.

The Morgan student's father, Murl Coplin Sr., wrote Governor McKeldin requesting an investigation of the shooting.

Ober Refuses To Act

When the Governor referred the letter to Ober for action, the police commissioner reminded Mr. Coplin that the grand jury had dismissed charges agains Tomshack.

Commissioner Ober refused to take administrative action against the officer.

Shot By Cop, Athlete Sues For $50,000

BALTIMORE, Md.—Damages of $50,000 are sought from a Baltimore policeman for the shooting and injuring of a 20-year-old Morgan State college student and track star.

The student, Murl Eugene Coplin, filed suit last Friday against Patrolman Joseph Tomshak, charging that the officer shot him in the leg last September 4.

The suit, filed in Baltimore City Court, alleges that Coplin was talking with friends when the policeman got out of a radio car and assaulted and shot him.

Coplin states that he will be crippled for life as a result of the gunshot wound and will be unable to pursue his promising athletic career.

After Coplin was arrested by Tomshak a disorderly conduct charge placed against him was dismissed, the plaintiff said.

Attys. W. A. C. Hughes, Jr., and Juanita J. Mitchell are representing Coplin.

Officer Freed In Shooting Of Morgan College Student

BALTIMORE

The grand jury, Wednesday, dismissed assault charges against a Northwestern district patrolman who shot a Morgan State College student during a holdup investigation in which the youth was not involved.

Magistrate John L. Berry of Northwestern had issued a warrant against Officer Joseph Tomshack on the request of I. Duke Avnet, attorney for the inned sophomore, Murl E. Coplin, 21, of the 500 block Pulaski St.

Mr. Avnet decared that the police officer exceeded his authority," and became the culprit instead of a guardian of the law." Coplin was shot in the leg, and hospitalized over two months.

The grand jury began its study of the case two weeks ago. Ansel Sodaro, State's Attorney, said Thursday that he had asked Mr. Avnet to present his full side of the case to the jury because he wanted a full picture of the incident carried there.

The grand jury hears only the State's side of a case, and not any defense.

Boys Ran From Police

Coplin was standing with other young men at Harlem and Fremont Aves. when Tomshack, investigating a drug store holdup at Myrtle Ave. and Hoffman St., fired into the group when it dispersed and started to run after a call to "halt."

It was shown that young Coplin in no way fitted the description of one of the holdup men.

Charge Brutality In Albany Case

ALBANY — The arrest and alleged beating of a father of five children by two white policeman has been protested as 'brutality' by the Tri-City Civil Liberties Committee at a mass meeting here last Thursday.

Arthur L. Levy, acting chairman of the Committee, denounced the jailing of Raymond Van Hoesen Jr., of 240 Pearl St., who was picked up by two policemen in a prowl car on his way to work.

Mr. Levy charged that the officers gave no reason for the arrest, beat Van Hoesen in a police station back room and then charged him with "indecent exposure."

Former POW Charges Policeman With Attack

BALTIMORE

A disabled veteran and former German prisoner of war charged Wednesday that he was struck on the head with a night stick by a Northwestern district policeman about 2 a.m. after being arrested at Fremont and Edmondson aves.

Horace Godwin, 28, a social security employee who lives in the 2100 block W. Mulberry st., told NAACP officials that he was standing at a service station awaiting a taxi early Wednesday when Patrolman John Uhler, standing across the street, called him over.

After he crossed the street, Godwin claimed, the policeman, without provocation, struck him over the head and herded him into a patrol wagon.

Injured In POW Camp

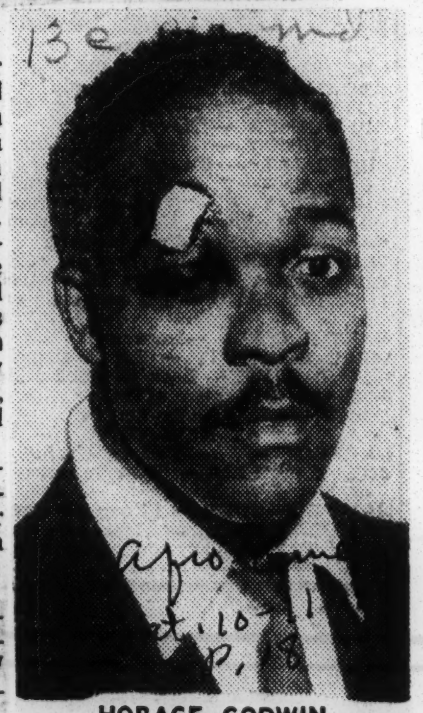
When Godwin, who said he suffered a fractured skull while attempting to escape from the POW camp and now receives a disability pension, pleaded with the policeman not to strike him because of his head injury, the officer was quoted as saying:

"I don't give a d— what you've got."

After being booked at Northwestern police headquarters on a charge of disorderly conduct, he was taken to a hospital for treatment, Godwin told the NAACP.

Fined 15 In Court

Godwin, who spent a year and 15 days in the POW camp, was tried before Magistrate E. Everett Lane Wednesday morning, found guilty of disorderly conduct, and fined $15 and costs.



HORACE GODWIN

Officer Uhler charged that Godwin was using loud profanity while leaving a Fremont ave. bar in company with a woman. The profanity, the policeman said, was apparently aimed at someone inside the bar.

The officer said he approached Godwin, warned him to quiet down, and ordered him on his way. The woman left immediately but Godwin stared an argument, it was claimed.

Godwin was then arrested and put into a patrol wagon. During the ride to the station house, the policeman testified, Godwin became violent and attempted to strike him. He then hit Godwin with his night stick, the officer said.

The incident is being investigated by the NAACP.

Detroit NAACP Files $10,000 Suit Against Police

Black Dispatch
Oklahoma City, Okla.
Sat 6-7-52

DETROIT — (ANP) — A $10,000 damage suit was filed in Circuit court last week against two Detroit policemen who, it is charge, while off duty and under the influence of whiskey, beat and kicked Milton Jones, 22.

Jones was assaulted Oct. 17, 1951.

The suit was initiated by Attys. H. Franklin Brown and Vermit Bailer, members of the NAACP Legal Redress committee.

Husky Mississippi Negro Tells U. S. Jury Of Torture By Sheriff In Pike County

By KEITH FULLER

A husky 25-year-old Mississippi Negro Korean veteran told an all-White jury today he was handcuffed hugging a tree and beaten with a three-foot strap by five Mississippi peace officers in the summer of 1950.

Cpl. Murry—Sunshine—Gray said the officers, led by former Pike County Sheriff Robert E. Lee, whipped him nude until his back and legs were bleeding while questioning him about a filling station burglary.

Gray was the first witness at the trial of the five officers on trial charged with violating Gray's civil rights.

The soldier showed the U. S. District Court jury scar marks on his arms and said they were made as he writhed around the tree during his beating with the straps cutting his flesh.

As Gray testified, Sheriff Lee and the four other defendants sat facing the witness chair.

The alleged offense occurred at Magnolia, Miss., about 85 miles south of here in July, 1950.

Gray was a civilian filling station employe at the time and was picked up for questioning regarding the burglary of a second filling station in the small South Mississippi town.

On the morning of his arrest, Gray testified, "about 11 a. m. I was taken out of jail about three miles out of town. They — the officers — handcuffed me around a tree and beat me."

Attorney Joe Brown said Gray was released from jail about 12 days after his arrest. "During that time did you get any kind of a hearing before any court:" he asked.

"No sir," Gray answered.

'At the government's request, Gray was returned from his duty in Korea to appear at the trial.

On cross examination, defense attorneys drew from Gray that he had worked for the service station that was burglarized about seven years. He had been fired from the station about a year before the burglary and had taken a job with another station.

"Let's see your arm," one defense attorney said taking Gray by the wrist. "You've got a dark spot here," he said, pointing to the forearm. "You've got another here haven't you. You are a lot darker in some places than others."

"Didn't you tell those officers you'd show them where the money was hidden. Isn't that why they took you out of jail?"

Gray denied the statement.

Before the noon recess, three Pike County justices of the peace testified that Gray had not been given a hearing in their courts.

On cross examination the justices, Monroe Berryhill, Marshall Bullock and Matthew Harper, all testified the officers' general reputation for peace or violence was good.

A jailer under Sheriff Lee, T. F. Dyess, told the jury Gray was taken from his cell the day of the alleged beating at 8:30 a.m. and returned about 4 p.m.

He said Gray never complained about mistreatment to him.

Gray's father, Teddy Roosevelt Gray, said the soldier had returned home about 11 p.m. the night of the filling station burglary and was jailed the next day.

The father testified he saw marks on his son's arms after he was released from custody about 12 days after his arrest.

"Did he show you any marks on his back?" he was asked on cross examination.

"No sir. He told me about them but I never saw them," the elderly Negro answered.

The prosecution questioned Lyle Simmons, chief of police at McComb, Miss., adjacent to Magnolia, if he had heard of church and civic groups discussing alleged violence of Sheriff Lee and other officers.

Simmons said he had not except for accounts of the Gray case in the local newspaper.

NEGRO GI TESTIFIES OFFICERS BEAT HIM

Says He Was Flogged In Try To Force Confession

HEARING IS IN U. S. COURT

By The United Press

JACKSON, Miss., March 4.—A Negro corporal furloughed from Korea to be a Government witness testified Tuesday that a former sheriff had him flogged in an effort to force a false confession.

Dramatically, Corp. Murray (Sunshine) Gray pointed out exSheriff Robert E. Lee of Pike County as the leader of the five-man whipping party. Lee and four of his fellow officers were on trial in United States District Court charged with violating Gray's civil rights.

The defense admitted that the officers handcuffed Gray to a tree and "spanked him," but said they did so only after he tried to escape.

Accused Of Robbery

Gray, a 25-year-old, six-foot truck driver assigned to the Eighth Army in Korea, had been accused in 1950 of robbing a filling station at Magnolia, Miss., where he was formerly employed. He was later cleared of the charge.

Gray refused to confess the robbery, he testified, and the officers "took me to the woods, handcuffed me to a pine tree and whipped me."

He rolled back the sleeves of his neatly pressed GI uniform and showed the court scars on his arms. He said they were caused by "a three-foot-long leather strap" and by the bark of the tree to which he was fettered.

He said he had more scars on his back and legs.

The Negro said he still refused to confess after the lashing and "that afternoon they took me out again."

"They laid me on the ground," he said. "One of them put his foot on my neck. Another held my feet and they whipped me."

Later, he was taken to a doctor who treated his wounds and he was released without explanation. Then he learned that the charges against him had been dropped.

A month and a half later Gray was drafted into the Army, eventually to be sent to the Far East. But Federal agents had investigated his story of the beating administered to him in an effort to make him confess a crime he had not committed.

Others Indicted

In addition to Lee, a United States Grand Jury indicted Deputies Andrew Jones and Frank Smith, Constable J. J. Montfourt and oCunty Patrolman Nelen Wall. All of the oficers since have left office.

United States Atty. Joe Brown, in charge of the prosecution, arranged a furlough for Gray and the Negro was flown here from Korea 10 days ago incognito.

Under cross-examination, Gray identified Lee and Wall as members of the flogging group but said he could not positively identify the others.

Defense Atty. Ross Barnett's version of the affair was that Gray had "promised to show the officers where he had hidden the money from the filling station robbery."

"When taken to the woods, he attempted to escape so they handcuffed him to a tree and spanked him."

Beating Linked To Ex-Sheriff

JACKSON, Miss., March 4 (AP)—A white merchant and banker testified today that a former sheriff told them he handcuffed a Negro prisoner to a tree and whipped him "for information."

Witnesses Horace Prescott, a merchant, and Barton Lampton, a bank cashier, both told a white jury that former Sheriff Robert E. Lee, of Pike County, admitted whipping Negro Murry Sunshine Gray to get information about a service station burglary.

Lee and four other officers are on trial in U. S. District Court here, charged with violation of Gray's constitutional rights.

Gray, a strapping six-foot Negro soldier, returned from Korea to testify.

Prescott said he and Lampton visited the Negro in adjoining Walthall County jail after the alleged beating occurred in July, 1950, in Magnolia, Miss.

"While we were there Sheriff Lee came in and wanted to know what we were doing," Prescott said. "He said Gray was his prisoner, and we had no business there."

Prescott said Lampton asked the sheriff how Gray got "the hide peeled off his arms," and that Lee said Gray had been "handcuffed to a tree and whipped for information."

Earlier, Gray himself took the stand and said he was beaten by the five defendants, led by Sheriff Lee, when he was a civilian resident of Magnolia.

Free Cop In Mississippi Shooting

CLARKSDALE, Miss.—The fatal shooting of Frank James Turner, 22, over the pleas of his father, was "justifiable," according to Judge R. H. Kirby, hearing a murder charge against Policeman Jack Franks last week.

Declaring that the slaying was in self defense, the judge described the death of Turner, an epileptic, as "very regrettable." He said, "I think the officer certainly exercised all restraint that could be expected and I dismiss the case."

The youth was slain while fighting with the policeman in front of a service station. Witnesses testified that Turner resisted arrest and was overpowering the policeman.

Paul Clark, however, told the court that the officer grabbed Turner in a "brusk and rude fashion."

Clark said the situation had "deteriorated" to a point where he thought the shooting was justified But he said it was a "tragedy" that the situation was allowed to reach that point.

Five Involved In Beating Of Prisoner Are Acquitted

JACKSON, Miss. — A federal court jury at Jackson Wednesday found former Pike County Sheriff Robert E. Lee and four other defendants not guilty on charges of violating the constitutional rights of a Negro prisoner.

Acquitted with Lee were Andrew Jones and Frank Smith, Lee's former deputies; Nolen Wall, county patrol officer, and J. J. Mountfourt, a constable.

Murry Gray, 25-year-old soldier, testified at the trial that the officers handcuffed him to a pine tree and beat him.

ADMITS BRUTALITY

A former Pike County (Miss.) sheriff, Robert E. Lee admitted under oath in federal court that he struck a Negro prisoner with a slap-stick to prevent his escape and to prevent bodily harm to himself."

The five defendants were charged with violating the constitutional rights of a Negro during an investigation of a burglary on July 3, 1950.

CORPORAL IN ARMY

The government charged the five former officers "assaulted, battered and beat" Murry (Sunshine) Gray, a strapping six-foot, 200-pound, 25-year-old Negro who is now a corporal in the U. S. Army attached to the Eighth Army as a truck driver in Korea. He was flown home at the request of the government, to testify at the trial of the five officers.

The officers were charged specifically with handcuffing and torturing the man to extort, force and coerce information and a confession concerning a filling station robbery.

Free Ex-Sheriff Of Beating Suspect

By JAMES RUNDLES

JACKSON, Miss.—The testimony of four white witnesses including an FBI agent against a former Mississippi county sheriff, Robert E. Lee, 39, went for naught last week as an all white jury declared him and four deputies not guilty of beating a Negro to obtain a burglary confession.

The five, indicted on charges of having deprived Murray (Sunshine) Gray, a Korean veteran, of his constitutional rights by beating him with a whip as he stood handcuffed to a pine tree in July 1950. Following an FBI investigation, white citizens of Magnolia, Miss. demanded further action on the affair.

Gray had flown here from the Korean battlefront for the trial to give this description of the events leading up to the alleged beating:

He was working at a service station in July, 1950 when another service station where he was formerly employed, was robbed. Hearing that he was suspected, he voluntarily surrendered to the town marshal.

The next day, Gray said Lee and the four other officers took him to a remote spot, handcuffed him to a tree and beat him. Lee and two other deputies later whipped him again he said.

"This time one of them put his foot on my neck and the other held my legs as I was being whipped."

Three white Magnolians, a banker, a merchant and a newspaper editor, testified that Lee had admitted the whippings to them.

FBI agent John Honeycutt, identified three nude pictures showing scars on Gray's back and legs as having been made three days after the alleged beatings.

Lee's testimony was completely different from that of the four witnesses and Gray's.

He testified that he whipped Gray only after he had successfully defended himself from an attack from Gray. He said that he subdued Gray with a leather slap stick and assumed full responsibility for the whipping and exonerated the other defendants.

Negro Korean veteran is due on stand in civil rights case

BY KEITH FULLER

JACKSON, Miss., March 4—(AP)—A 25-year-old Negro Korean veteran was to take the stand today to describe the torture he allegedly received at the hands of five Mississippi peace officers in 1950.

The soldier, Murry (Sunshine) Gray, was flown back here from the Korean front as a prosecution witness in the civil rights trial of the five officers.

Gray was handcuffed to a tree and beaten, the indictment said, in July, 1950, when he was a civilian living at Magnolia, Miss., about 85 miles south of Jackson.

The five officers allegedly took the Negro from a jail cell to a remote spot outside town where he was beaten to "extort force and coerce" a confession of a filling station burglary.

WHILE GRAY was in jail, a group of white citizens of Magnolia heard of the alleged beating and agitated for an investigation. Gray was transferred to an adjoining county jail but the townspeople sought him out and demanded he be given medical attention.

A doctor visited the Negro and is scheduled to testify at the officers' trial.

Meanwhile there was a widely circulated report that another Negro had confessed to New Orleans police that he committed the filling station burglary.

A U. S. Grand Jury handed down indictments charging:

1. Conspiring to deprive Gray of his civil liberties.

2. Actually depriving him of them by the alleged beating.

3. A second beating.

THE DEFENDANTS are former Pike County Sheriff Robert E. Lee, two former deputies under Lee, Andrew Jones and Frank Smith; Nolen Wall, county patrol officer, and J. J. Montfourt, a constable.

A few months after the five were indicted—and a year and a half after the burglary—a Circuit Court Grand Jury in Pike County indicted Gray for the burglary, Asst. U. S. Atty. Robert Hauberg said.

The peace officers pleaded innocent at their arraignment and have been free in $1000 bonds.

Hauberg said the maximum penalty for the alleged civil rights violation was a year imprisonment and $1000 fine for each count.

EX-SHERIFF ACQUITTED OF BEATING PRISONER

Negro Said Mississippian Handcuffed Him To Tree

4 OTHERS ALSO CLEARED

By The Associated Press

JACKSON, Miss., March 5.—An all-white jury acquitted a former Mississippi County sheriff and four deputies Wednesday of beating a Negro to obtain a burglary confession.

After 45 minutes of deliberation, the foreman handed the court clerk the verdict which read, "We the jury find the defendants not guilty." A twitter of clapping came from the auditorium and the defendants shook hands, smiling broadly, with well wishers.

Furloughed From Korea

The verdict erased the charges against the five who were indicted on charges of conspiring to deprive —and actually depriving—Murry (Sunshine) Gray of his constitutional rights by beating him with a whip as he stood handcuffed to a pine tree.

Former Sheriff Robert E. Lee, 39, one of five South Mississippi officers accused of violating the civil rights of Negro Murry (Sunshine) Gray, assumed full responsibility for the whipping and exonerated the other four defendants.

Their indictment charges the five whipped Gray while he stood handcuffed to a pine tree in a wooded area about four miles from Magnolia, Miss., in July, 1950.

Gray, now an Army corporal furloughed from Korea to testify at the white officers' trial, was then a service station employe in Magnolia.

The Negro and the former sheriff gave wholly different versions of the whipping to the United States District Court jury.

Gray testified he was arrested for questioning about the burglary of a service station where he had formerly worked and was handcuffed to a pine tree and beaten by the defendants until he confessed.

Sheriff Lee said he took Gray to the remote wooded area after the Negro told him, "All right I'll take you where the money is."

The sheriff, 6-feet-3 inches and 205 pounds, said, "We went out to a place where the Negro said he'd midden the money. We looked around there and then the deputies fanned out to search.

"I stayed with the Nigger. This Nigger took and run. I caught him in about 50 or 75 yards. When I went to catch him he turned back and grabbed me. I either hit him with my fist or hand and he tore my shirt."

Describes a Fight

Lee described a fight between he and Gray and said it was then that he applied his "slap stick."

He described his slap stick as a foot-long strip of leather about four inches wide with a handle.

"How many times did you hit him?" asked Defense Attorney Ross Barnett.

"I don't know. When you're in a scramble like that you got to move pretty fast," Lee declared.

The former sheriff said it was then that he handcuffed the Negro to the tree. He said he didn't touch Gray after handcuffing him.

Answering cross examination questions, the sheriff said he didn't have time to get an arrest warrant for Gray. He admitted Gray was not given a hearing in any court during the 12 days he was a prisoner.

Another defendant, Frank Smith, corroborated Lee's testimony that the sheriff's shirt was torn and that he saw Gray and Lee "tangled up on the ground" in a fight.

FBI Man Testifies

Gray testified the officers stripped him of clothing and beat his back raw and bloody as he stood handcuffed to the tree.

Tuesday the prosecution introduced in evidence pictures of Gray attorneys said were made shortly after the whipping. An FBI agent, John Honeycutt, said the Negro's back was bruised from his shoulders to his thighs and that his arms were peeled of skin.

A group of white citizens of Magnolia pressed for an investigation of the alleged beating after rumors of it spread over the town of 2000.

The five officers were indicted by a Federal Grand Jury following an FBI investigation. Several months later—and 18 months after the burglary—Gray was indicted on charges of burglary by a Jackson Grand Jury. The indictment is still pending.

Ex-Sheriff Admits Hitting Accused Negro But Swears 'It Was In Self Defense'

By KEITH FULLER

A U. S. court jury heard a six-foot three-inch former sheriff testify today he struck a Negro prisoner with a leather "slap stick" after the Negro attempted to escap

Former Sheriff Robert E. Lee of Pike County is South Mississippi took the stand after the prosecution rested its case.

Lee and four deputies are on trial with depriving Cpl. Murry — Sunshine — Gray of his civil rights.

The indictment charges that the five officers beat Gray while he was handcuffed to a tree in July, 1950 to force him to confess to a service station burglary. Gray was a civilian resident of Magnolia, Miss. at that time.

The 39-year-old former Sheriff, who told the jury he weighed 205 pounds and was "pretty strong," gave this account of the Negro's whipping.

"The first time I saw Gray was on a Monday after the burglary Saturday night. He was arrested on suspicion of burglary at the suggestion of the service station owner," Lee began.

He said he and deputies gathered some evidence and confronted the 25-year-old Negro with it at the jail.

Lee quoted Gray as saying "all right I'll take you out to where the money is."

He said a group of deputies and himself drove Gray to a wooded spot "with heavy undergrowth" about four miles out of town. "We went out to a place where the Negro said he'd hidden the money. We looked around there and then the deputies fanned out to search. I stayed with the 'nigger'. This 'Nigger' took and run I caught him in about 50 to 75 yards. When I went to catch him he turned back and grabbed me. I either hit him with my fist or hand and he tore my shirt.

"I took but a slap stick — you gentlemen (the jury) probably don't know what that is, it's a leather strap with a handle but it ain't no three feet long like they said here. It's about a foot long. I hit him enough where he was hollering," Lee testified.

"How many times did you hit him?" asked Defense Attorney Ross Barnett.

"I don't know. When you're in a scramble like that you got to move pretty fast," the former sheriff said. "I carried him on down and handcuffed him to a tree."

Lee denied hitting the Negro after handcuffing him around a pine tree and denied that any of the other defendants stfuck him at all.

"I didn't hit him any more than necessary to control him," Lee declared.

Lee told the jury when he was elected sheriff he called a meeting of his deputies and told them not to use their slap sticks unless they had to.

"Why did you tell them that?" asked Barnett.

Lee answered that when a prisoner got "cut a little old place" — he pointed to his forehead — that newspapers jumped on it with big headlines. If an officer gets beat up, he said, "you read about it on the back page."

On cross examination, U. S. Attorney Joe Brown asked: "Did you have a warrant issued for Gray's arrest?"

"We didn't have time to get a warrant," Lee stated.

"Did you ever give him a hearing?" Brown asked.

"No sir," Lee said.

At the opening of court today, Barnett made motions for a directed verdict of "innocent" for each defendant. All of the motions were overruled by Judge Sidney Mize.

Two other defendants, deputies Frank Smith and J. J. Montfourt, followed Lee to the stand.

Smith corroborated the sheriff's testimony about a struggle with Gray in the woods.

Montfourt denied he was present at the place where the whipping occurred. He testified the sheriff told him later "he had to work him (Gray) over."

Later that day, Montfourt said, after hearing the sheriff's version of the fight in the woods, "I told the boy (Gray) he was lucky to be living."

Dr. Alvin Lee, a first cousin of defendant Lee, said he looked at "brush burns and abrasions" on Gray's arm at the request of the sheriff. He said he didn't treat the Negro then because "I didn't deem it necessary."

Dr. Lee told the jury Gray did not complain of other injuries.

The Rev. James Bryant, McComb Miss., Baptist minister, testified that the five defendants had a good reputation in their community.

Gray, an . . anpicking up forth grf F75

Gray, an 8th Army driver in Korea, was flown here at the government's request to testify at the trial.

The 25-year-old Negro soldier testified yesterday that former Sheriff Robert E. Lee took him from a jail cell to a wooded spot off Muddy Creek road about four miles from Magnolia.

They—the officers—handcuffed me around a pine tree and beat me," the soldier said. He told the jury the white men forced him to remove his clothes before laying on a three-foot long, four-inchwide strap.

Gray, wearing his Army uniform, rolled up his sleeves to show the jury scar marks he said were made by the tree's bark cutting into his flesh.

Following Gray's testimony the prosecution succeeded in getting into evidence three nude pictures of Gray shortly after the alleged beating.

Negro vet says he was 'cuffed' to tree and flogged by officers

JACKSON, Miss., March 5—(AP)—Five Mississippi law officers begin their defense today against charges that they handcuffed a Negro to a pine tree and flogged him to obtain a burglary confession.

They are being tried in U. S. District Court on charges of violating the civil rights of Corp. Murry (Sunshine) Gray. Gray was flown home from Korea, where he was an Eighth Army truck driver, to testify.

The alleged beating occurred in July, 1950, when Gray was a civilian living in Magnolia, a South Mississippi town of 2000.

The defendants are former Sheriff Robert E. Lee, former Deputies Frank Smith and Andrew Jones, County Patrol Officer Nolen Wall, and Constable J. J. Montefourt.

The 25-year-old Korean veteran told the all-white jury yesterday that he was taken from a jail cell to a wooded spot near Magnolia.

"They (the officers) handcuffed me around a pine tree and beat me," he said. They forced him to remove his clothing before they laid on the three-foot long, four-inch wide leather strap, Gray testified.

GRAY ROLLED up the sleeves of his Army uniform to exhibit scars he said were caused by the pine bark cutting into his flesh. Three pictures of Gray taken shortly after the alleged lashing were introduced into evidence.

FBI Agent John Honeycutt said the pictures shower abrasions he found on Gray's back and legs.

A filling station from which Gray had been fired about a year earlier was burglarized in July, 1950, and Gray was arrested. The alleged beating occurred the next day. Lee said Gray confessed.

Two Magnolia business men, Banker Barton Lampton and Merchant Horace Prescott, told the jury they and other townspeople heard rumors that Gray had been beaten and started an investigation.

They found that Gray had been transferred to a jail in a neighboring county and went over to talk with him. They testified Gray showed them his wrists, back and legs and that there were "skinned" places on his body.

* * *

SHERIFF LEE appeared and asked them what they were doing, they said.

"He said Gray was his prisoner and we had no business there," Prescott testified.

Prescott and Lampton added that the sheriff and Lampton got into a violent argument and Lampton demanded to know how Gray's wrists were peeled. The witnesses said Gray told them he was "handcuffed to a tree and whipped for information."

U. S. Atty. Joe Brown called a half dozen justices of the peace who testified that Gray had not been brought before them for arraignment. Brown said their testimony supported the government's contention that Gray was kidnaped from the filling station where he worked at the station and was arrested for questioning. The next day, Lee testified, Gray told him, "All right, I'll take you where the money is hidden."

Lee said he and the deputies drove Gray to a remote wooded area where the prisoner said the money was hidden. The deputies spread out to search the underbrush, Lee continued, while he remained with Gray.

The former sheriff said Gray made a break and ran about 50 to 75 yards before he could overtake him. They began fighting, Lee added, and he used the "slap stick" to subdue the prisoner.

Lee said he then handcuffed Gray to a tree, but denied the prisoner was flogged while helpless.

Deputy Frank Smith, another defendant, gave testimony similar to that of Lee.

The defendants were acquitted of charges of beating the Negro and of conspiring to violate his civil rights.

The other defendants were J. J. Montfourt, Nolen Wall and Andy Jones.

Mississippi Jury Frees 5, In Beating of Negro

Jackson, Miss., March 6 (AP)—An all-white jury yesterday acquitted a former sheriff, Robert E. Lee, and four deputies of beating a Negro to get a burglary confession. The jury was out 45 minutes.

The verdict was applauded by courtroom spectators.

The five were indicted on charges of conspiring to deprive—and actually depriving—Murry Gray of his constitutional rights by beating him with a whip as he stood handcuffed to a pine tree.

White Jury Frees Pike County Officers After 45 Minutes Deliberation

A Mississippi white jury took only 45 minutes to return a verdict of innocent in the civil rights trial of five Mississippi law officers accused of beating a handcuffed Negro prisoner.

Former Sheriff Robert E. Lee, 39, and four deputies were acquitted on all counts at the end of a two-day trial yesterday.

The trial was highlighted by conflicting versions of the whipping. Lee and the Negro, 25-year-old Murry (Sunshine) Gray, an Eighth Army truck driver flown here from Korea, both testified.

Lee said he whipped Gray with a "slap stick"—a leather strip about a foot long with a handle—when Gray tried to escape. Lee denied that any of the deputies took part in the whipping.

Gray testified he was forced to remove his clothes, was handcuffed to a pine tree, and was flogged to make him confess to a burglary.

The case started in July, 1950, when a filling station was burglarized in the small South Mississippi town of Magnolia. Gray, then a civilian, formerly had tion that Gray was denied his constitutional rights.

All of the justices, however, testified that the general character of the defendants was good.

After about 12 days imprisonment, Gray was released. Some time later a Federal Grand Jury indicted the five officers. After that, a local Grand Jury indicted Gray for the burglary—a year and a half after the burglary was committed. Gray's indictment still is pending.

Free Sheriff Who Beat Vet

JACKSON, Miss. — It took an all-white Federal court jury just 45 minutes to free a former sheriff and four other former law enforcement officers here Wednesday on charges of handcuffing a colored soldier to a tree and beating him to obtain a confession.

Exonerated by the jury on charges of violating the civil rights of Cpl. Murry (Sunshine) Gray, 25, who was flown here from Korea to testify, were ex-Sheriff Robert E. Lee, former Deputies Andrew Jones and Frank Smith, ex-Constables J. J. Montfourt and former Patrolman Nolen Wall.

He surrendered voluntarily when he heard the sheriff wanted to question him about the burglary, Corporal Gray told the court, adding that Lee and four other officers carried him to the woods, made him disrobe, handcuffed him to a tree and beat him with a leather strap to force him to confess.

Refused To Confess, Freed

The soldier said he refused to confess a crime that he had not committed despite two beatings by the party of officers, was later released and the charges against him—robbing a Magnolia filling station—were dropped.

Sheriff Lee admitted that he struck the soldier "several times with my slapstick," but added that he hurt him only enough to "control him" when Gray tried to escape. He denied that any of the other officers struck the soldier.

Gray, a truck driver with the Eighth Army in Korea, having been drafted into the Army six weeks after the beating, showed the court scars on his arms which, he said, resulted from the wounds inflicted when the officers beat him with a "three-foot-long leather strap."

Charge Ga. Cops Brutally Beat Vet

Afro American Sat. 1-19-52

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Gory Story Told To Jersey NAACP; Say Dixie Held His Body A Week

p 3 Baltimore Sun

By SAMUEL A. HAYNES

NEWARK

The widow and other relatives of Rufus Johnson, a World War II veteran, charged in signed affidavits last week that he was beaten to death in a cell at police headquarters in Bainbridge, Ga., on Dec. 5.

The gory story was withheld until now, the widow, Mrs. Ethel Johnson of 116 Rose St., this city, told the New Jersey AFRO-AMERICAN and her lawyer, J. Mercer Burrell, a former Assemblyman, because of fear of reprisals by whites against her 18-year-old son by a former marriage and her mother who remain in Bainbridge.

She was encouraged to make the story public, retain a lawyer and seek the help of the NAACP by the undertaker in Bainbridge who handled her husband's burial arrangements.

Body Held For Week

Mrs. Hattie Harris, the undertaker, to whom the body was released — after it was held for a week while a certificate of death was being obtained — accompanied it to Newark for burial.

She told counsel for the widow: "The back of the head and neck of the deceased had two or three long cuts and bruises, apparently made by blows from a blunt instrument.

"One of these cuts was very deep and about nine inches long.

"Head Beaten To Pulp"

"The back of the head and neck of the deceased was beaten almost to pulp.

"His clothing was soaked with blood. "When these facts became known, the people in Bainbridge got in touch with Mrs. Johnson here and assured her of full support in pressing for an investigation of her husband's death."

Here, in substance, is a summary of the facts in the events and circumstances leading to the veteran's death at the police headquarters in Bainbridge, according to the affidavits given to Mr. Burrell and the local NAACP legal redress committee.

Mr. Johnson attended Zion Hill Baptist Church, of which his wife is a member, and he was also affiliated with Solomon Lodge No. 2 of King William Grand Lodge A.F. and A.M.

"He held membership in the AFL Union Local 422 for the meat industry.

Here's The Story

"Rufus Johnson of 116 Rose St., Newark, N.J., was honorably discharged from the United States Navy in 1946 after three years of service.

"He had been a resident of Newark for more than 21 years and had been employed for 17 years at Kaplan Sausage Factory, 202 Prince St., Newark.

"His widow, Mrs. Ethel Johnson, and his small child, Barbara Ann, still live at the Rose St. address.

"His 18-year-old son by a former marriage, Rufus Johnson Jr., lives with his grandmother, Mrs. Margaret Howzell in Bainbridge, Ga.

Suffers Mental Breakdown

"Early last October, Johnson suffered a nervous breakdown and as a result, was committed to the State Mental Hospital at Trenton, N.J., where he was under observation and treatment for six or seven weeks.

"He was discharged from the mental hospital as cured last Nov. 18.

"Upon medical advice, he left Nov. 20 to spend a vacation with his mother at 215 Alice St., Bainbridge, Ga.

"Last Dec. 5, he visited the place of business of a Mrs. Tot Trammel, white, on Alice St., a few doors from the home of his mother to purchase some whisky, which is not legally sold in Bainbridge, a dry town.

"Bainbridge colored residents say that it has been customary to patronize the Trammels as one of the only places where liquor could be obtained.

"Johnson's mother. Mrs. Margaret Howzell, and sister, Mrs. Rosa Lee Hopkins, state that the veteran went to the front porch of the Trammel place and knocked loudly on a screen door.

"He then shook the wire screen on a front window and knocked on the side of the building.

"This had continued for some time when there was a shot through the window.

"Johnson was not struck by the bullet which Mrs. Trammel later admitted firing.

Went To "Wrong" Door

"Johnson returned to 215 Alice St. and sat with his family in a swing on the front porch.

"His sister went to the Trammel home, where she had formerly been employed, and said.

"Do you know that was my brother that you shot at."

"Mrs. Trammel is alleged to have said: "He ought to know better than to come to the front door. If he wanted anything, he should have come to the back door."

"About an hour later, Bainbridge police officers, Amos Martin and James T. Bell, came to the porch where Johnson was still sitting with members of his family, demanding to know where he came from and what he was doing in Bainbridge.

"Johnson answered that he was on a vacation visiting his people. The officers then said:

"You are under arrest. We are going to put handcuffs on you and take you down to the police station."

Called "Smart" By Police

Johnson said: "What are you going to arrest me for? You have no right to put handcuffs on me if you don't have a charge against me."

"The officers accused Johnson of acting smart and immediately attempted to seize him and drew their pistols.



RUFUS JOHNSON

"Johnson attempted to pull away from the officers who struck him with fists and guns.

"Shots were fired, one of which struck Mrs. Hopkins a glancing blow on the back of her neck.

"Johnson leaped from the porch and tried to escape, amid a hail of shots from the officers' guns.

Chased, Shot By Police

"He was struck by at least four bullets and was caught by the police officers, one of whom pursued him in a car.

"He was thrown into the police car, beaten with revolvers and finally was thrown into a cell at Bainbridge police headquarters.

"His mother, sister and brother got in touch with police and requested permission to see the wounded man. This was refused.

"An hour or so later, a message was received at Mrs. Howzell's home.

"She was told that, unless the family had some papers to prove that Johnson was a veteran and that he had been treated in a hospital for the insane, 'the mob would come and get him.'

"One member of the family took to police headquarters a letter of the veteran's discharge from the Trenton State Hospital and other papers identifying Johnson as a veteran, but still no one was permitted to see the prisoner.

Dead On Concrete Floor

"About four or five hours after the arrest, members of the family were admitted to a cell in police headquarters where the dead body of Johnson in the nude was found on the concrete floor.

"As far as could be determined, no medical attention had been given him.

"The body was turned over to Mrs. Hattie Harris, prominent undertaker of Bainbridge, who states that:

"The back of the head and neck of the deceased had two or three long cuts and bruises apparently made by blows from a blunt instrument.

"One of these was very deep and about nine inches long. The back of the head and neck was beaten almost to pulp.

"The clothing of the deceased was soaked with blood."

Buried Here Dec. 15

Johnson's body was held in Bainbridge for nearly a week while his certificate of death was being obtained.

It was finally brought to Newark on Dec. 12 and turned over to James H. Beckett, prominent W. Market St. undertaker. The funeral was held Dec. 15.

A special burial permit had to be secured since official transcript of death did not arrive from Georgia until after the funeral.

Mrs. Howzell, the mother, and Mrs. Hopkins, the sister, accompanied the body to Newark. Mrs. Harris, the undertaker, also visited the wife after the funeral.

Members of the family and colored residents of Bainbridge were first completely terrorized and feared to give information,

"But sentiment subsequently changed, both in Bainbridge and vicinity, where there is now a strong demand for complete investigation by the NAACP and by Federal authorities.

Widow Employs Lawyer

Mrs. Johnson retained Mr. Burrell, as personal counsel, and the matter has been referred to the Newark NAACP for investigation.

The Rev. Cornelius Berry, chairman of the legal redress committee, interviewed Mrs. Johnson who attended last week's NAACP meeting at St. Philip Episcopal Church Parish House.

Harry Hazelwood, attorney, and president of the branch, states that after complete investigation, the matter will be referred to the national office for action.

As usual, the Bainbridge police claimed that "Johnson attempted to enter the Tot Trammel home through a window and that he seized Mrs. Trammel during a struggle."

Colored residents there, however, point to the inconsistency of this story and the quiet way in which Johnson returned to his house and sat in plain view on the front porch.

They point also to the conversation between Johnson's sister and Mrs. Trammel.

Cop Assault Case Goes To Grand Jury

Afro-American

Mother Freed By Magistrate Who Raps Officer

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Sat-26-1952

NEWARK

A Newark police officer who allegedly resorted to brutality while off duty to subdue a defenseless suspect, was reprimanded by Magistrate Anthony Guiliano, Fourth Precinct, for arresting the suspect's mother at a preliminary hearing last Thursday.

The officer, Frank Marversiese, charged Harold Cochran, 25, of 628 S. 10th st., with assault and battery. Baltimore.

The officer also charged Cochran's mother, Mrs. Mabel Wah, with obstructing justice and interfering with him in performance of his duty on Monday, Sept. 22.

Stumped By Judge

Asked by the magistrate if the mother was present during the trouble between him and her son, the officer said "No."

"What would you have done if you saw your son in trouble?" the magistrate asked the officer.

"I would do what she (the mother) did," he answered.

Mother Freed

"I am dismissing the charge against this mother," the magistrate said. "A mother is expected to go to the defense of her child." P. 8

At the request of Bertram C. Bland, counsel for Cochran and his mother, the charge against the son was sent to the grand jury.

Mother's Story

Here is the story of police brutality which Mrs. Wah told to a reporter for the New Jersey AFRO - AMERICAN before she and her son were arraigned:

"We live in a neighborhood where there are few colored families.

"On Monday, Sept. 22, knowing that my son was under a nervous strain, I called the police to come and take him to a hospital.

"About 7 p.m., an officer in plain clothes, later identified as Frank Marversiese, in company with one of his alleged relatives, George Lewis, approached my son who was at the corner near our house.

Alleges Insult To Daughter

"My son was with another boy named Eddie. Mr. Lewis tried to get Eddie to say he had heard my son call his (Mr. Lewis) daughter 'a dog.'

"Eddie refused to say what Lewis wanted and he came in the house and told me that the officer had threatened to lock up my son for insulting Lewis' daughter.

"When I went to investigate, Lewis asked my son, "What do you mean by calling my daughter a dog?'

"My son kept walking toward the alley by the side of the house.

Assault Described

"Lewis grabbed him by the arm, and when he got away, the officer hit him with a black jack on the back of his head and continued until a radio car came.

"My son fell against the house next door and the officer beat him with the but of his gun several times.

"He was taken to City Hospital where 10 stitches had to be made on his head, then he was taken to the Fourth Precinct.

"When I went there, I was put in a cell."

Charge White Harlem Cop Beat Prisoner

NEW YORK—A white Harlem policeman who arrested a man on a disorderly conduct charge found himself ordered to stand trial by the court charged with beating the prisoner without due cause.

He is Patrolman James E. Mullins, a 20-year police veteran.

On Dec. 14 he arrested John A. Webb, a disabled veteran of World War II for disorderly conduct after Webb complained that he had been robbed of his clothing and personal belongings, except his underwear, by two muggers. The case came up for hearing Jan. 14.

Webb, a Social Security agency clerk, told the court that on the night of Dec. 14 he was held up by two muggers who relieved him of his clothes, money and glasses and left him in his underwear.

After borrowing a pair of misfitted pants he called the police.

Mullins was one of the two cops in the radio car who answered the call, Webb explained to the court. He told the patrolman his story. But instead of believing him, Webb said, Mullins cursed him, knocked him down and threw him into the street.

Webb's story was substantiated by three witnesses.

Magistrate James E. Mulcahy, a former U. S. commissioner, then ordered a complaint be brought against the patrolman, charging him with beating the prisoner without provocation.

If the complaint against Mullins stands, he will become the first Harlem cop to be brought up on such charges. Immediate dismissal from the force goes along with the complaint.

Ex-Policeman Kills 2 Negroes, Can't Tell Why

Shoots Yonkers Brothers; Upbraided Bartender for Serving Mixed Gathering

Special to the Herald Tribune

YONKERS, N. Y., March 20.—A former Westchester County parkway policeman shot and killed two Negro brothers last night as they were leaving a tavern at 95 Riverdale Ave., police charged today. He had been arguing with the bartender about serving drinks to Negroes, it is alleged, but had no apparent grudge against the two men he picked as his victims.

The former policeman, who quit the force a month ago after twenty-four years' service, is Stanley Labensky, forty-nine, of 89 Ash St. He was arraigned for second-degree murder this morning in Yonkers City Court. Judge Martin J. Fay granted a twenty-four-hour adjournment to give Labensky time to retain a lawyer, and then ordered him held without bail in Yonkers City Jail.

Labensky was recognized by some patrons of the tavern and was arrested at his home this morning, according to Acting Safety Commissioner William J. Comey. Under questioning, he confessed to the killings, but could give no logical explanation for his action, according to Mr. Comey.

The victims were Wyatt Blacknall, thirty-five, of 21 Ashburton Ave., and his brother James, twenty-two, of 14 Prospect St. Both died in St. Joseph's Hospital a few hours after the shooting.

According to Mr. Comey, Labensky entered the Yale Tavern on Wednesday night, upbraided the bartender in surly tones for serving a mixed gathering, and then wandered out to the sidewalk. He apparently had been drinking heavily, police said. Soon afterward Wyatt and James Blacknall, with a third brother, William, finished their beers and walked out.

They were confronted by Labensky, who drew a revolver and said, "I suppose you don't think I'd shoot?" according to the story later told to Mr. Comey by William Blacknall. William said that he was in the rear and ducked into the tavern and called police. While he was in the telephone booth he heard shots, he said, and when he rushed out he found his brothers dying in the street.

Woman Says 2 Cops Beat Her

Reporting Theft; D.A. Pledges Probe

NEW YORK—A Brooklyn woman who claims she was beaten by Harlem police when she went to the W. 123rd St. station to report a mugging early Easter morning went to the District Attorney's office last Friday with her attorney and her complaint. Afterwards, the D.A.'s office would only admit that the "matter is under investigation."

The woman is Miss Sallie Evans, 354 Franklin Ave., Brooklyn. She says she was in Harlem Easter Eve attending a dance and that around 3 a.m. as she was entering the Independent subway station four men and two women took a wrist watch.

According to her attorney, Aaron J. Broder, 350 Fifth Ave., Miss Evans hailed a cab and went to the nearest police station, W. 123rd St. station. When she made her complaint at the desk, the sergeant is alleged to have sent her upstairs to the detectives.

Says 2 Cops Beat Her

Finding no detectives, Miss Evans says she returned to the desk and was again sent back by the sergeant. When she returned a second time after finding no detectives, Miss Evans claims she was forcibly removed from the station.

She returned and it was then she charged the sergeant stopped her.

Following this Miss Evans says her pocket book hit the officer as she raised it to defend herself and she was then dragged to the rear of the station where the sergeant and a detective took turns beating her.

4 Policemen Are Freed In Brutality Case

CHARLOTTE, N. C. (ANP) — Four white policemen were cleared in Recorder's Court here last week on charges of assaulting a Negro, Jan. 12.

The cases against two of the defendants, R. B Hinson and W. H. Ranson, were dismissed by Judge J. Edward Stukes following presentation of prosecution testimony.

The judge acquitted the other two officers, R. L. House and W. H. Bryant, after testimony.

The prosecuting witness, George Lyles, claimed that he was blackjacked by the police officers outside a barber shop.

The principal defense, C. Q. James, testified that Lyles had the bruises and cuts that he maintained were inflicted by the police, before the policemen arrested him.

The four officers were temporarily suspended from the police department pending the outcome of the charges.

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ANOTHER NEGRO SHOT DOWN BY PATROLMAN

WASHINGTON, N. C.—(ANP)—Another Negro man was shot down last week by a white policeman who claimed self defense.

The latest victim was James Smallwood, 38, who died of a gun shot wound received when a white patrolman, George Medlin, shot three times at the Washington, N. C. patrolman during a tussle in the patrol car.

An innocent victim of the shooting was Joffrey Cratch, owner of a tourist court located near the scene of the shooting. He was shot by one of the wild-flying bullets. Cratch now is in a hospital suffering from a wound in the chest.

Here is the patrolman's account of what happened:

Medlin had arrested Smallwood as he was walking along a highway about eight miles north of Washington, N. C. Medlin ordered the Negro to get into his car after Smallwood had tried to hide a bundle of clothes he was carrying when he saw the patrolmen coming along the highway.

A short distance down the road Medlin said, the Negro grabbed the steering wheel and pulled the car toward the side of the highway, causing it to go into a ditch Then Smallwood grabbed his gun, Medlin said, and during the ensuing scuffle, four shots were fired one of they hitting Cratch as he stood outside the car, and the other grazing Medlin's chin, causing a superficial wound.

After that Smallwood jumped out of the car and started across the field. That was when Medlin shot him from a distance of some 198 feet.

Medlin's action was described as one of "shoot or be shot." He was released by authorities without bond.

Another Negro Shot By White Cop

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Berserk Prisoner Shot 6 Times By Policeman

WILMINGTON, N.C.—James E. Stanley, a prisoner who apparently went berserk in his cell in the court house jail Thursday, was shot six times by a policeman in a battle on the third floor of the court house building.

Stanley, shot in the neck, both arms and both legs, was carried to Community Hospital where he was reported "somewhat improved" on the week end. The man was wounded by Police Sgt. Luther Rourk.

The melee began after several prisoners in the cell with the 200-pound, 6 foot prisoner reported to Jailer Marion Ross that Stanley was acting queerly. While Ross was taking him to another cell Stanley broke away, ran into the jailer's apartment, picked up a crowbar and wrench, then ran out.

After trapping the man on the third floor of the building, the officers demanded that Stanley drop his weapons. He refused and stood his ground.

The officers then tried to hem Stanley in by approaching him from two directions, Rourk climbing a ladder to a balcony and State Patrolman A. H. Clark using the stairway. Stanely floored Clark once as he neared him, and again as he tried to rise.

Clark out of the way, he turned on Rourk, missed with the wrench but kept advancing. Rourk shot him in the arm and leg, but he kept coming towards him, still swinging his weapons. He halted only after four more bullets—one in the neck—were pumped into his body.

Police Say Man Not Harmed While Held In Their Custody

MEMPHIS, Tenn., — (SNS) — An investigation was begun Saturday by the Homicide Bureau to determine what happened to Lewis Greenwood, 52 of 854 Mosby, while he was a prisoner at State Jail.

Greenwood was admitted to Kennedy Veteran Hospital Tuesday with a fractured skull.

Homicide Inspector Pete Wiebenga said he tried to talk to Greenwood, on Saturday, but the man was semi-conscious and unable to talk.

Greenwood was arrested on a drunkenness charge by Patrolmen Harold T. McKinney and Fred C. Watson at 2:30 a. m. Tuesday. He was lying on the sidewalk at 233 West Pauline Circle, they said.

Police took him to John Gaston Hospital for emergency treatment noticing a cut on his head. While at the hospital, authorities said, his wound was cleaned, he was given a tetanus shot and stimulants and kept under observation in the emergency room until released to police custody shortly before 8 a. m. Tuesday.

No stitches were taken in the scalp or X-rays made. Herbert C. Hardy, hospital administrator, said Greenwood showeo no symptoms at the time to indicate further examination.

Greenwood, a World War II veteran and employe at Dixie Homes Sundry Store at 957 Poplar was placed in the city jail at 7:55 a. m. and booked on a public drunkenness charge. At that time he was able to walk and gave his name and address to the desk sergeant.

He was discharged at 2:30 p. m Tuesday after a friend posted an $11 bond. Police said he had to be carried to an automobile on a stretcher. Chief Reeves said Greenwood was sleeping on a bunk and the turnkey had difficulty in arousing him.

When admitted at Kennedy Veterans Hospital at 5:30 p. m. a preliminary examination showed a three-inch cut on his head over the right ear. At that time Greenwood was unable to reply to questions or follow instructions.

X-rays showed a fractured skull and an operation was performed on Thursday to relieve pressure, but Greenwood has exhibited very little response." His condition is serious.

Friends of Greenwood told police he is "subject to spells and known to fall out." His wife, Gladys Greenwood of 767 Tate, who has been separated from him for the past five years, said she had no knowledge of such spells.

She told The Commercial Appeal she made a search through the neighborhood Friday night and said three Negro boys had found her husband's bloodstained hat on Poplar near the Dixie Homes subdivision.

Hospital authorities said it was medically possible for a man to have a fractured skull and still appear normal for a time before brain clots caused unconsciousness.

Chief Reeves emphasized that Greenwood was released from police custody in the same condition as admitted. If he had a fractured skull, it was received prior to arrest, the chief added.

Murfeesboro Blast Brutality Of Police

MURFREESBORO, Tenn.—Colored residents of this city are expressing resentment over the mounting police brutality and persecution to which they are being subjected by the police force, which they say is composed of untrained, ill-educated officers.

The residents especially resent the policeman's habit of cruising through "the End" (colored section in the 6th Ward) and beating up and arresting any citizen who dares to speak up for himself when subjected to abuse.

They say that white tramps are permitted to stagger all over the Square, but they are unmolested while if a colored man even has a smell of liquor on his breath, he is thrown into jail and heavily fined.

Courts Abet Terror

As a case in point, they cite the experience of Iz Brown, a law-abiding employee of the Byrn Motor Company, who lives at 409 S. Spring Ave.

Brown was being driven in his car on Dec. 31 by a friend of his, Leb King, when a police cruiser containing Officers Carlton and Irving stopped them. After inspecting their drivers' licenses, Carlton searched Brown, who asked him the reason for the "patting me down."



IZ BROWN

Brown was then struck three times in the face by the policeman, arrested for assault and battery and drunk driving and fined $14.60 in General Sessions Court, although he was not driving the car when the arrest occurred.

Brutality Victim



Herbert Harris, another victim of police brutality in Murfreesboro, Tenn., who said he was brutally blackjacked across the forehead by Deputy Sheriff Carlton after the deputy accussed him of being drunk. Harris said that he wasn't drunk, and that he had only a few drinks.

Police Brutality Rocks Murfreesboro

MURFREESBORO, Tenn.—The abuse and beating of colored persons in this city seems to be a pastime with the police here. They do not seem content to arrest those accused of law violations.

An arrest here seems incomplete if the accused is not given a sound thrashing by the arresting officer or officers. The police have only to smell liquor on one's breath to declare him drunk.

Their technique is to approach their victim, look him over and say, "You're drunk, get in the car."

Cannot Defend Self

He dares not say he isn't drunk. He is not permitted to say a word in defense of himself. The penalty for so doing is a bludgeoning with a blackjack.

He is hauled off to county jail and booked for public drunkenness. If he dares deny the charge, he is also charged with resisting arrest, or accused of having drawn a knife.

The latest victim of county police is Herbert Harris, 518 Reed Ave. During an interview with Harris at County Jail, Harris answered the AFRO's questions: the following to say:

Q. Where were you at time of your arrest and beating?

A. I had just come out of the East Side Cafe and was standing in front of the place talking with Boyd Anderson.

Q. Were you drunk?

A. No. I had been drinking but I was not drunk, neither was I staggering. I had intended going home after finishing my conversation with Anderson.

Q. What did Deputy Carlton say when he drove up to where you were standing?

A. He called me to the car, and said, "get in." I asked him why I should get in his car. He said, "You are drunk." I told him I was not drunk and was on my way home. I told him also, I had done nothing and could see nor reason for my being arrested.

Then he got out of his car and struck me across the forehead with his blackjack. This dazed me. He kept hitting me. I tried to ward off the blows. Then he picked me up and threw me into the car. Blood was pouring out of the wound on my forehead.

I tried to stem the flow of blood with my handkerchief. I was taken to the County Jail and locked up. I asked them to take me to the hospital.

I was put in jail at 4:30 p.m. and not until 6:30 or later was I taken to Rutherford County Hospital for treatment of wounds I had received.

Case Investigated

Information was sought, at the scene of the arrest and beating, of those who were present at the time. There were at least nine or ten persons who stated Harris had done noghing to justify the unmerciful beating given him by Deputy Carlton.

All said they did not know what Harris had done, and that it happened so fast they were amazed. Asked if Harris was drunk, the reply was no. A few said he had been drinking but he was not drunk.

One man said Harris was standing in front of Cafe talking with Boyd Anderson when Deputy drove up and called him to the car, and before he could realize what was happening the deputy was beating Harris.

He said there were about 20 or 25 men on both corners who witnessed the whole affair.

Adds Insult to Injury

Sheriff George Sharpe was interviewed in his office. Without any buildup to the matter at hand, he asked, "What is wrong in the Sixth Ward (on the end)? Everytime we arrest a man out there, he tries to shoot or cut us."

The reporter asked, why not appoint one or two colored deputies? He quickly replied, "We are not ready for it just now."

When asked, what he meant, he replied, "We do not have anyone who would accept the job or that would qualify."

What are the qualifications? queried the reporter.

Sheriff Sharpe replied, "He would have to be a man with good background, a college man preferably and one of good character.

Sheriff Sharpe is a college graduate, but his staff does not measure up to the standard set for appointment of a colored deputy. eva ed further questioning on this matter.

This writer received information that the deputies attached to the sheriff's office receive a fee in addition to salary received. They attribute fee grabbing on the part of deputies for so many arrests and beatings.

$1000 AWARDED MEMPHIS NEGRO IN FALSE ARREST CASE

Memphis, Tenn., May 30.—Special)—A nine-year-old case of false arrest was settled Thursday when a circuit court jury awarded Roosevelt Askew of 371 Mahanna Ave., $1,000. Askew charged a Walgreen Drug Store employee of having him "falsely held" by law authorities.

His charge of brutality against two city police officers was not sustained and the officers were acquitted. The case in question occurred in November 1943 when Askew was 16 years old and was employed as a messenger by the Walgreen Store at Poplar and Cleveland.

According to his testimony, assistant manager (at that time) Frank Webb accused him of stealing $169 from the cash drawer. Despite his denials of the theft, he said, Webb summoned the police.

When Officers Joe Austin and I. F. Lawrence made the arrest, he said, they beat him in the head and face when he refused to confess to the crime. He stated that this beating occurred in the squad car and also in the city prison. It was said that Askew lost his right eye as the result of the beating.

The facts were not supportable, however, and the officers were cleared. His charge against them had been assault and battery.

The money question was settled, testimony revealed, when E. E. James, store manager, returned to the store and stated that he, himself, had taken the money and had neglected to tell Webb, his assistant.

When Askew was released, according to his relatives, he showed every evidence of having had a severe beating and had to have emergency treatment for his eye. At that time, Askew said, his parents were reluctant to file suit in his behalf because they "didn't want to cause trouble."

A write-up of the original case appeared in the Memphis World in December 1943 and the newspaper files were subpoenaed by the Circuit Court judge. Also called on to testify (briefly) were Mrs. H. B. Shields and Prof. Nat. D. Williams at that time a World employee.

Prisoner Beaten By Officers

KNOXVILLE, Tenn.—A 31-year-old Knoxvillian is in the city hospital after being severely beaten by two arresting white city policemen.

The policemen said Lawrence J. Murphy, 31, resisted arrest and attempted to take on of th officer's gun from him. It all happened in a police cruiser en route toward jail.

Later, a reporter went to Murphy's hospital bedside and obtained this account from him:

Policemen Boyce McCall and Lester Touton came to his house, arrested him, and started toward city jail. They stopped at Cureton's Cafe on Patton st., and called the cafe owner, C. L. Cureton, outside to the car.

The officers asked Cureton if "he is the one," and the cafe owner answered he was. Murphy said he had been ordered out of the Cureton place because of a disturbance his girl friend had raised there.

"Mr. Cureton pulled my head over with a (crooked) walking stick, and one of the officers got out and beat me from the out side," Murphy continued.

At city jail two officers "beat me again, and I hollered as loud as I could," Murphy added. (The screaming so attracted City Judge Charles Kelly on the bench that he sent officers from the courtroom to investigate the incident down the hall).

Cureton, the cafe operator, said he saw Murphy fighting the officers outside — that he ran out after Murphy tried to get Officer Touton's pistol.

"I ran out of the cafe and saw that somebody was going to get killed h I didn't act fast," said Cureton. "I grabbed a walking stick from a man there and reached through the (car) window and pulled Murphy to one side. I choked him down."

Murphy was knocked unconscious during the altercation.

At the hospital he was to be examined for possible fractures of both arms and a fractured skull.

Police Say Victim Ran To Elude Query In Complaint

K. J. Powell, 38, 801 Polk Street, was shot by Police Saturday afternoon when he ran from them to elude questioning on complaint that he was "waving a large pistol" at persons Walnut near Polk Street.

Powell was treated at John Gaston hospital for a gunshot wound of the right ankle, and a broken left arm. Police stated that he received the arm injury when he fell after being shot.

Powell was shot by Patrolman Edward W. Palmer, 25, 1023 Green law. Palmer is the same Patrolman that was suspended following the wounding of Willie Edward Rule, 23 of 1935 Frisco on August 23. Rule later died at John Gaston Hospital.

This second shooting occurred while authorities were investigating his fatal wounding of Rule. Patrolman Palmer had just returned to duty on Friday.

Assistant Chief J. C. MacDonald said Powell led officers on an eight block chase in the neighborhood north of Elmwood Cemetery after police received a complaint at 4:54 p. m. that Powell was pointing a gun at passersby in the 700 block on Walnut.

The trouble began when Powell had an argument with another man over a package of cigarettes, the chief said. After drawing a knife on the man in a cafe, Powell went to his home nearby for the gun. The other man had left when Powell returned.

Witnesses complained after seeing Powell's, gun in hand, walking up and down the street searching for the unidentified man.

Patrolman Palmer and his partner, Patrolman T A. Williams, found Powell behind a cafe at 720 Walnut. Police stated that Powell ran north across Polk, through a field and across Neptune to East north on East to the Southern Railroad tracks and east on the tracks across Dudley.

It was between Dudley and Somerville that Powell was shot after refusing orders to stop. Patrolman Palmer fired once in the air before shooting Powell.

Police Say Man Not Harmed While Held In Their Custody

An investigation was begun Saturday by the Homicide Bureau to determine what happened to Lewis Greenwood, 52 of 854 Mosby, while he was a prisoner at State Jail.

Greenwood was admitted to Kennedy Veteran Hospital Tuesday with a fractured skull.

Homicide Inspector Pete Wienga said he tried to talk to Greenwood, on Saturday, but the man was semi-conscious and unable to talk.

Greenwood was arrested on a drunkenness charge by Patrolmen Harold T. McKinney and Fred C. Watson at 2:30 a. m. Tuesday. He was lying on the sidewalk at 233 West Pauline Circle, they said.

Police took him to John Gaston Hospital for emergency treatment noticing a cut on his head. While at the hospital, authorities said, his wound was cleaned, he was given a tetanus shot and stimulants and kept under observation in the emergency room until released to police custody shortly before 8 a. m. Tuesday.

No stitches were taken in the scalp or X-rays made. Herbert C. Hardy, hospital administrator, said Greenwood showeo no symptoms at the time to indicate further examination.

Greenwood, a World War II veteran and employe at Dixie Homes Sundry Store at 957 Poplar was placed in the city jail at 7:55 a. m. and booked on a public drunkenness charge. At that time he was able to walk and gave his name and address to the desk sergeant.

He was discharged at 2:30 p. m Tuesday after a friend posted an $11 bond. Police said he had to be carried to an automobile on a stretcher. Chief Reeves said Greenwood was sleeping on a bunk and the turnkey had difficulty in arousing him.

When admitted at Kennedy Veterans Hospital at 5:30 p. m. a preliminary examination showed a three-inch cut on his head over the right ear. At that time Greenwood was unable to reply to questions or follow instructions.

X-rays showed a fractured skull and an operation was performed on Thursday to relieve pressure, but Greenwood has exhibited very little response." His condition is serious.

Friends of Greenwood told police he is "subject to spells and known to fall out." His wife, Gladys Greenwood of 767 Tate, who has been separated from him for the past five years, said she had no knowledge of such spells.

She told The Commercial Appeal she made a search through the neighborhood Friday night and said three Negro boys had found her husband's bloodstained hat on Poplar near the Dixie Homes subdivision.

Hospital authorities said it was medically possible for a man to have a fractured skull and still appear normal for a time before brain clots caused unconsciousness

Chief Reeves emphasized that Greenwood was released from police custody in the same condition as admitted. If he had a fractured skull, it was received prior to arrest, the chief added.

13e 1952 Texas

White Policemen Figure In Both Of The Isle Cases

Galveston — Galveston threatens to explode, and violently! The rape of a Negro girl.... who identified a white policeman as her attacker....plus the needless shooting-in-the-back of a Negro motorist by another policeman, also white....threw the city into a wild state of confusion.

That little action of a positive nature has been taken by police administrative officials caused the tension to mount. Release of the officer, the alleged rapist to the custody of his lawyer, the other on his own recognizance, fanned the tension to "tempest in the teapot" fury.

The preliminary hearing for Patrolman W. C. Marques on the rape charge was held in the Justice of the Peace Court of Judge Ralph B. Gustafson, Saturday. Here another phase of the general indignation came into the picture

When Defense Attorney Jean Hosey asked Booker T. Thomas introduced as "the boyfriend of the girl alleging rape" "have you ever had sex relations with the girl," spectators murmured protests so loudly until Judge Gustafson had to demand "order in the court."

Attorney Hasey persisted in grilling the complainant as though she had committed a crime, much to the indignation of the Negro, and some white, spectators.

Little was asked about the criminal attack upon her, but much ado was made over "her visits to her boyfriend's room, "her baby born out of wedlock;" and that she didn't identify W. C. Marques as her attacker a few hours after the assault.... since she passed within 'five or six' feet of the patrolman on her way out of the police chief's office."

Attorney A. R. Schwartz, assistant County attorney representing the state, drew the ire of Galveston ministers because he failed to object to questions about the complainants character that had no bearing on her being criminally assaulted.

Near the conclusion of the hearing Officer Marques was put on the stand and asked "where were you on the night of October 19?" His laconic reply was "at home reading the paper, playing cards and going to bed about eleven o'clock."

Detective John S. Fox testified that he "arranged for both Officer Marques and the girl to make a trip to Austin for a lie detector test. Despite my almost tearing the door down and waking all the neighbors, they (meaning the girl and her mother failed to open the door, so I went on to Austin without them. Officer Marques took the test and the machine confirmed his denial as the truth. I have implicit faith in the lie detector. I have used it successfully several times."

The defense rested and the state had no questions so Judge Ralph B. Gustafson bound Officer Marques over to the grand jury.

Attorney Hosey asked for custody of his client pending the grand jury call. The court agreed.

Police Brutality Charged In Lynchburg, Probe Asked

LYNCHBURG, Va. — A letter demanding an immediate investigation into the alleged and unwarranted police brutality inflicted upon Bernard Skipper, a local colored resident, has been forwarded to city officials by Reuben E. Lawson, Roanoke attorney, retained on behalf of Skipper.

The latter charges that Skipper "has been falsely arrested, without a warrant, on two occasions, by police officers of Lynchburg, and on both occasions, after having been falsely arrested and imprisoned, was released after being detained for sometime."

MR. LAWSON alleges that his client was arrested on June 1, and again on June 15. The lawyer charges that on the latter occasion, the arresting officers clubbed and blackjacked Skipper "unmercifully, and into a state of unconsciousness."

In addition, Mr. Lawson stated that "several policemen shot at Bernard Skipper, and went on a general shooting spree, shooting up the whole community, after Skipper had become frightened and tried to run, because he had not committed any crime, but knew that one of the officers in the group had been picking on him for sometime."

THE ATTORNEY declared he has 22 witnesses who could testify to the alleged brutal and unlawful conduct of the officers involved in the Bernard Skipper incident of June 15.

The lawyer said:

"We know that this type of conduct is not tolerated in any city with a reputation such as Lynchburg has, and we are definitely interested in justice and fair play for all citizens of the Commonwealth of Virginia, including Bernard Skipper of Lynchburg.

"We feel that an investigation should be made immediately, and that the offending officers should be suspended during said investigation, an if found guilty, after a complete hearing, that they should be discharged or otherwise proper disciplinary action should be taken against them."

Reminding the authorities that the incident had aroused "quite a bit of interest and created much unrest among the Negro citizens of Lynchburg," Lawson hinted that it may be necessary to file civil suit against the officers for alleged assault and battery and for the violation of Skipper's civil rights..

Lawyer Files Suit Against 4 Policemen

$100,000 Asked As FBI Probes Beating Charges

By T. J. SELLERS

LYNCHBURG, Va.—Charges of civil rights violation in Lynchburg brought quick action from the NAACP last week as Reuben E. Lawson, Roanoke attorney was retained by the group and filed a $100,000 suit against four members of the Lynchburg police department.

The four were charged with false arrest, unlawful imprisonment, curings and assault and battery, by former Dunbar High School athlete, 19-year-old Bernard Skipper.

THE YOUTH in his suit, charged that Officers W. R. Roach and C. T. Ashwell invaded the privacy of his home and arrested him, placing him in jail where he was detained for several hours, then released without having charges preferred against him.

On June 16, he said, he was threatened and called a "black b. . . ." by Officers Roach and Ashwell Jr., V. P. Laughon and Lt. C. E. Tomilson. who was in command of the early morning shift.

HE SAID HE was walking along the street when the officers accosted him, shot at him when he became frightened "out of his wits" and ran, then dragged him through the streets by his arms and later beat him with a blackjack and pistol while he was held on the ground.

Filing of the suit on Aug. 16 followed an earlier denunciation by City Manager Robert D. Morrison of an FBI investigation of the case to determine whether the civil rights of the Lynchburg youth had been violated by the police officers.

The FBI moved in to investigate a charge by Reuben E. Lawson, Roanoke attorney and civic leader, that his client, was falsely arrested on two occasions and had been beaten and clubbed.

MR. LAWSON wrote a letter to City Council on July 11, in which he charged that several policemen shot at young Skipper and there was a "general shooting" when the youth became frightened and attempted to run.

Morrison said Police Chief J. Hillyer Boice had investigated the charges and concluded they were unfounded. The city manager said he had concurred with Boice's report.

* * *

HE STATED that Skipper was arrested by the officers because he was suspected of having committed a felony and that no more force was used than was necessary.

The Lynchburg City Manager's statement follows in detail:

"I learned to my amazement that the Federal Bureau of Investigation was investigating this case under the Federal civil rights statute to see if any of the civil rights of Skipper had been violated by police officers."

* * *

"AS TO THE FBI investigation, I have not furnished the bureau with a report of Major Boice's findings, and the police officers in question have been advised to make no statements in this connection to any agent of the bureau."

"Of course, there is nothing I can do to keep FBI from investigating if that is the policy of the Department of Justice. I can however, by failing to cooperate in this investigation, at least show my disapproval of this policy of invading an area in which laws of the Commonwealth of Virginia are sufficiently broad to protect the rights of all its citizens; where the attorney for the Commonwealth is thoroughly competent to investigate, and prosecute if justified, any wrongful act committed by officers of the law; and where the courts and juries are thoroughly competent to determine the issues."

* * *

THE JOURNAL AND GUIDE learned as early as last Sunday morning that the "investigation" by the police department had been confined to the questioning of the officers involved and that none of the other witnesses to the shooting had been questioned by Royston Jester, III, Commonwealth's attorney. However, the shooting spree was heard by residents in the 1100 block on 14th street, the 1400 block on Monroe street, the 1300 block on Taylor street and the 1300 block on Wise street.

Despite the refusal of the Lynchburg authorities to cooperate, FBI Agent N. R. Johnson made it clear that a full investigation would be made and a report submitted to the Justice Department. He said the report would recommend "further action" if the FBI thinks it is warranted.

* * *

JOHNSON, who is special agent in charge of the FBI's Richmond field office, said:

"When allegations that an individual's civil rights have been violated are made to the FBI, the FBI is duty-bound to conduct an inquiry to determine whether a violation has actually occurred."

In the meanwhile, the Lynchburg Branch of the National Association for the Advancement of Colored People announced that the organization had retained Mr. Lawson to investigate the Skipper case when it was first reported and later to instigate the damage suit. Spokesmen for the group told the Journal and Guide that plans were being made to raise the necessary funds to underwrite the project.

* * *

REV. W. J. HODGE, president of the local Branch and pastor of the Diamond Hill Baptist Church, took exception to a full column lead editorial which appeared in the local daily paper last Saturday which implied "outside interference" in the Skipper affair.

In an open letter addressed to the paper, the NAACP leader made it clear that the decision to assist the Lynchburg youth originated with his organization at the insistence of its officers and members, "all tax paying citizens of Lynchburg."

* * *

REV. HODGE scored the daily paper for stating that "race relations" were good in Lynchburg and challenged that newspaper to join the "crusade for real democracy in Lynchburg" by supporting a community program that would enable Negroes to participate more fully in the civic and city government affairs.

Other officers of the Lynchburg Branch of NAACP are Miss Thelma Thompson, secretary; Edward Spencer, treasurer, and the Rev. E. T. Thornton, pastor of Court Street Baptist Church, vice president.

The motion for the damage suit which was filed by Attorney Lawson is returnable on August 28, however, it is not likely that the case will be argued in the Corporation Court for 30 or 60 days, the lawyer said.

Lawyer Sues Town For $100,000

Virginia Attorney Charges Roper, N. C., Police With Assault

By J. H. KNIGHT

NEWPORT NEWS — William Davis Butts, prominent attorney of this city, filed suit August 29 in the United States District Court for the Eastern District of North Carolina against T. R. Spruill, Mayor of the Town of Roper, N. C.; three members of the Town Council, and the Town of Roper.

Mr. Butts seeks judgment in the sum of one hundred thousand dollars against the defendants for personal injuries resulting from his being assaulted with a blackjack on Sept. 4, 1951, by Robert Sawyer, policeman in the town of Roper.

* * *

IN A STATEMENT to the Journal and Guide, this week, Mr. Butts said: "The object of the suit is not entirely directed towards the recovery of damages for personal injuries, but of their personal rights, under to apprise Negroes in that area the Constitution of the United States, against local law enforcement officers for any type of unfair treatment."

According to the complaint, this is a civil action between citizens of different states. Mr. Butts, the plaintiff, is a citizen of the Commonwealth of Virginia. T. R. Spruill and the other defendants are citizens of the State of North Carolina.

WHEN MR. BUTTS was assaulted in September, 1951, according to the complaint, he was in Roper to represent a group intervening in a suit then pending in the United States District Court for the Eastern District of North Carolina.

The complaint further asserts that Mr. Butts was in Roper with his clients when Robert Sawyer, in civilian clothes, told Mr. Butts, who was a stranger in Roper, was not acquainted with Robert Sawyer and did not even know he was a policeman, that he was under arrest for blocking the sidewalk. Mr. Butts requested to see a badge or some other evidence of authority for making such arrest, but no such evidence was ever shown.

MR. BUTTS, according to the complaint, had expressed a willingness to go with the officer, but first wanted to go upstairs in a nearby house where he had planned to stay overnight, in order to get money for bond, whereupon Robert Sawyer without justification or excuse assaulted him with a blackjack.

The complaint charges that all the defendants completely ratified the acts of Policeman Sawyer in that Mr. Spruill, mayor, and who has such authority, did not even suspend Robert Sawyer as an officer for one hour pending an impartial and complete investigation of his assault with a deadly weapon upon a citizen.

On the date of the assault, the complaint points out, there was not in full force and effect a constitutional ordinance against "blocking the sidewalk"; and there was not in full force and effect a constitutional statute, rule, canon, or ordinance relieving the Town of Roper from liability under the circumstances.

Fla. Prison Guards Indicted For Cruelty

TALLAHASSEE, Fla.— Charged with cruel and inhuman treatment of prisoners, two Fla. road camp commanders and two guards were indicted Thursday by a Federal grand jury.

The indictments charged the four men with "floggings and whippings" which resulted, in some cases, in permanent disability to prisoners and with "violating the civil rights" of prisoners in their care.

The defendants are:

Capt. Leamon L. Parrish, commander of the Alachua county camp near Gainesville, and Capt. James S. Walker, commander of the Citrus county camp near Floral City.

The two guards are Albert R. Bellot, Taylor county camp and O. Clyde Markham, Levy county camp camp near Bronson.

$1,000 Bail Set

Bail for each was set at $1,000

Capt Walker was indicted on 26 different counts, Parrish on 16 and the guards had 10 between them.

The grand jury's report stated that the punishment inflicted on prisoners was not humane and was "excessive to a high degree."

The rights of prisoners, said the jury, had been violated. Under the law, prisoners are protected from illegal assault and battery.

The grand jury also urged that steps be taken to improve the Fla. penal system. The four were suspended immediately following the indictments.

RUBY SANE!

By ZORA NEALE HURSTON
(Famous Novelist, Author, Lecturer)

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LIVE OAK, Fla.—Mrs. Ruby McCollum has been adjudged SANE by the local courts . . . and she will face trial for the Aug. 3 killing of Dr. C. Leroy Adams, prominent white physician and political leader.

The trial date has been set for Tuesday morning, Nov. 18.

As I sat upstairs in the section of the courtroom "reserved for Negroes" last Monday morning, I viewed with interest the central figure in this dramatic case . . . Ruby McCollum.

Mrs. McCollum is not a beautiful woman. She can't even be called pretty. Well-dressed and groomed, she is the kind who would best be described as attractive.

As I listened to the testimony being given which ended in the new trial date, I thought of the rumors which are still sweeping this town. I wondered what had made Ruby McCollum kill!

Had it come as a result of an argument with Dr. Adams over an alleged bill . . . as first stated . . . or is there any truth to the whispered rumors which have made Ruby's home life an "open secret."

Is there any truth to the rumor that what has happened in her life had to come from a strong inner drive to dominate . . . to possess?

OBVIOUSLY, Mrs. McCollum is a most self-contained woman. Never much of a mixer. She had her social life, it is true. But no one places her as ever about town . . . just talking with any-and everybody.

"We saw her passing along in her car," is the way the average citizen of Live Oak refers to her.

"Her husband, Sam McCollum, was all over town and we all knew him well. A nice, friendly kind of a man! But we never saw them together. They never went 'nowhere' like a couple.

* * *

"BUT IT WAS STRICTLY understood that she was real jealous-hearted over Sam, though. She didn't make it a practice to go out and start no fights in the street, or nothing like that, but folks said she really made it hot for him when he got home."

Again and again, gossip has put Ruby McCollum down as a very jealous woman under her own roof. She was possessive, and what was hers . . . or she considered hers . . . she must RULE! Could that be the explanation, in part, of what took place in the office of Dr. Adams on the Sunday morning of Aug. 3?

Is Mrs. McCollum being correctly pictured by neighbors and acquaintances as 'the woman scorned' . . . with the 'Hell Hath No Fury' implications?

No living person knows the answers to these questions but Ruby . . . and Ruby ain't talkin', yet.

* * *

ON SEPT. 29, two local white doctors took the stand. They stated that Mrs. McCollum had been their patient for the past year. On Oct. 6, testimony developed that she had also visited doctors in Jacksonville.

Though only the psychiatrist, Dr. William H. McColleugh, put a name to it, it was possible to see that Ruby McCollum was a hypochondriac . . . feigning sickness for a purpose of her own. Why? Was she seeking pity? No one can answer that question.

* * *

A CHARMING, worldy, ladies man once told your reporter:

"There is nothing so dead . . . as a dead love. And no woman can be so thoroughly hated as she who tries to cling, when you have let her know that you no longer want her.

"The smart women of the world," he continued, "are those who let you go immediately and without cries of reproach. That kind has a fine chance to win you back by their indifference.

"No," he concluded, men have no pity for a woman they have ceased to love. They can be more cruel to her than to anything on earth. That is why you read so often of men murdering wives and sweethearts. She has committed the unforgiveable crime . . . trying to hold him after he is tired of her."

* * *

NOW THAT Mrs. McCollum has been declared "sane," just what course will the prosecution take, when the trial begins?

Certainly, they have heard the rumors which anyone walking into the town can get! Will these stories be aired, in an attempt to develop a "romance" angle? Or will the prosecution stick to the story, first disclosed immediately following the murder of Dr. Adams, that he was killed because of a "bill"?

Will the prosecution attempt to prove the rumors going the rounds, that Ruby and her husband had not lived together "as man and wife" since the birth of the last child?

* * *

PEOPLE TALK freely to me . . . but will they say the same things if they are put on the witness stand?

Will Sam McCollum be depicted as the husband who precipitated no scandal, for the sake of his children . . . but had told friends, shortly before his death, of "strange dreams?"

Nobody knows but Ruby McCollum! . . . and she ain't talkin' yet!

Fla. Matron Declared Sane, To Stand Trial

Charged With Slaying White Physician After Argument

LIVE OAK, Fla.—Charged with the murder of a white physician here, Mrs. Ruby McCollum was declared sane by a psychiatrist last Tuesday and ordered to stand trial.

Circuit Judge Hal W. Adams, after testimony by Dr. William H. McCullagh, Jacksonville mental expert, declared Mrs. McCollum "sane and in full possession of her faculties."

The 36-year-old mother of three children is accused of shooting Dr. C. Leroy Adams, prominent white doctor and nominee to the State Senate on Aug. 3.

Witnesses Testify

Witnesses told investigating officers that they heard Mrs. McCollum and the physician arguing loudly about fees shortly before shots were fired.

A week ago, P. Guy Crews, chief defense counsel for Mrs. McCollum filed for dismissal on the grounds that the housewife was temporarily insane at the time the medic-politician was shot to death.

Dr. McCullagh, who was appointed by the court last month to examine the accused woman, verified the statement of two Live Oak doctors who previously had judged her sane.

Was A Patient

The psychiatrist had Mrs. McCollum as a patient a year ago. At that time, he testified, she had complained to him of discomfort in the chest, palpitations and pain in the back.

Dr. McCullagh, after ordering Mrs. McCollum to the hospital for 12 days last January, nine days in February and a week in May, said he found her to be a person who imagines herself ill.

There was no physicial cause for her illnesses, he told the court.

Husband Drops Dead

The slain doctor won the primary election to the State Senate last May. He had a wide practice among both races.

Sam McCollum, husband of the accused woman, died a day after the slaying of a heart attack. He had fled to his mother-in-law's farm near Ocala with his three small children after Dr. Adams' slaying.

The McCollums' were regarded among Florida's wealthiest colored citizens.

Florida Prison Aides Indicted

WASHINGTON, Sept. 26 (AP)—Atty. Gen. McGranery today announced the return of federal indictments against four employes of Florida state prison camps for alleged mistreatment of prisoners.

The indictments were returned by a U. S. grand jury at Tallahassee this afternoon, McGranery said.

The jury acted under the federal civil rights statutes which prohibit the depriving of rights protected by the Constitution.

Upon conviction, such offenses are punishable by a fine of $1,000 or one year imprisonment, or both.

The attorney general said he had been advised the grand jury also made "a presentment to the court decrying conditions in the Florida state prison camps."

Those indicted, the Justice Department said, were:

James Sheldon Walker, captain of State Prison Camp No. 8540, Bronson, Fla., on 28 counts.

O. Clyde Markham, a guard at the same camp, on four counts.

Leamon L. Parrish, captain in charge of State Prison Camp No. 8528 near Gainesville, on 17 counts.

Albert R. Ballot, on one count for alleged offenses at the Bronson camp and on five counts for alleged offenses at the camp near Gainesville, while a guard at those camps.

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Charges Prisoner Fainted While On Work Assignment

(Special To Atlanta Daily World)

The Georgia Board of Corrections has ordered an investigation into the circumstances surrounding the death of Charlie Williams, 29, Athens, Thursday at a work camp near Lawrenceville, Ga. Williams' body was brought into Lawrenceville for the coroner's inquest at 10 A. M. Thursday.

Hatchett said a coroner's jury impaneled after Williams' death in an "isolation ward" had returned a report which stated the prisoner died of Coronary thrombosis. He sail the heart ailmen had not been noted in prison reports of Williams' physical condition.

Hatchett said the Board of Corrections always request a coroner's report when prisoners die without a physician or witnesses in attendance. The jury was enpaneled to comply with this request.

Unconfirmed reports from Lawrenceville disclose that Williams fainted while carrying out a work assignment. Camp authorities allegedly accused Williams of shirking work and incarcerated him in an isolation ward for punishment. The man reportedly die during his confinement, although this report was not confirmed.

The Board of Corrections said that the prisoner was examined following death by Dr. A. D. Williams. The physician reportedly testified before the coroner's jury as to his findings in Williams' death. Dr. Phillips told the Atlanta Daily World via telephone that from "subjective symptons Williams died of Coronary thrombosis." Dr. W. P. Ezzard reported confimed his findings.

Under Board of Correction rules a prisoner is supposed to be checked daily by the county physician to who determines whether a man's physical condition has been subjected to further confinement.

Georgia prison camps in the past have been subjected to nationwide scrutiny. The infamous sweat boxes were suppose to have been eliminated. However, Williams' death comes circumstances closely akin to the prison practices of the past.

Hatchett said Friday that every measure possible had been taken to prevent prisoners from being subjected to cruel and inhuman treatment.

He promised a thorough investigation into Williams' case and said the inspector's report on the case would be made available to newspapers.

Atty. James A. Arnold, who is said to have represented the deceased man, has asked the Board of Corrections to immediately divulge the facts which led up to Williams' death.

Reports from Lawrenceville state there were no witnesses to Williams' death. The county physician examined the deceased man after his death from a heart ailment diagnosed as coronary thrombosis. Prisoners reportedly testified at the jury hearing in support of the jury's findings.

State Board of Correction files however failed to record any such previous cardiac condition, according to Mr. Hatchett.

The infamous "sweat box" is supposed to have been eliminated from rules. Prison attaches however have maintained "isolation wards" which are used to discipline prisoners for infraction of rules. It was reported that Williams died in one of the "isolation wards."

The Atlanta Daily World was unable to ascertain the construction of these new compounds.

Georgia

Camp Mutiny Quelled, 16 Ordered to Quarry

SAVANNAH, June 24—(INS)—A night-long mutiny at a state work camp in Savannah was brought under control early today and 16 of the 200 Negro prisoners involved were separated for transfer to Rock Quarry Prison in Buford.

Warden L. C. Burns reported the prisoners set fire to their dormitory, broke windows and tore up bedding during the demonstration which lasted from midnight Monday to 9 a. m. Tuesday.

Five trusties were roughed up, but Burns said blackened eyes were the extent of their injuries.

The mutiny reportedly was in protest of food served to the prisoners. The warden, however, dismissed the disturbance as "just part of the disease that's going around the country."

Burns said the fire in the dormitory was quickly extinguished. He named the chief ringleader as Gus Beeles, Atlantan sentenced to life imprisonment for murder.

Beeles and the 15 other instigators of the mutiny will be transferred to Rock Quarry, a supposedly escape-proof jail built of solid rock on solid rock.

In Atlanta, J. B. Hatchett, assistant director of the State Department of Corrections, said the incident will be investigated.

Insane Prisoners Join Illinois Convict Revolt; 10 Guards Held Captive

Riot Spreads; Officials Aided By State Police

Dangerous Criminals, Many With Knives, Take Hand In Fight

CHESTER, Ill., Oct. 28 (AP)—Rioting at Menard State Prison spread today to the Psychiatric Division, where scores of dangerous criminal psychopaths are confined, and three more guards were overpowered.

This brought to 10 the number of prison officers seized as hostages since 300 rebellious convicts seized control of the east cell block and took six guards and a prison lieutenant captive late yesterday.

Three hundred inmates in an exercise yard of the Psychiatric Division stormed their cell block's combination kitchen-dining room shortly after 1 p. m. CST.

Many Armed

Thirty-seven of the Psychiatric Division insurgents, many armed with butcher knives, succeeded in overpowering three guards and barricading themselves in the room. Hard-pressed guards and police, after a brief scuffle, returned the others to their individual cells.

An emergency call went out from State Police Capt. Herman Nofs for 50 more state police reinforcements. Seventy state policemen already were on hand.

Late today Warden Jerome E. Munie said the first peaceful meeting had been made with the convicts barricaded in the kitchen.

State Sen. Milton Mueller and Michael Farrin, administrative assistant to Gov. Adlai Stevenson, met with two convict spokesmen.

Talking through an opening in the barricade, the convicts stated their most immediate demand—an interview with newsmen who would listen to the grievances of the inmates. This, the prisoners said, would have to be done before they released their three hostages.

Must Free Hostages

Mueller, a member of an Illinois legislative committee which recently investigated conditions at Menard, said he offered to meet the prisoners' request for a conference with newsmen, but only if they give up their hostages.

The convicts answered by making threatening motions with kitchen knives, Mueller said, and shouting: "We'll release nobody."

Unlike the 300 convicts bottled up in the east cell block, just opposite the Psychiatric Division, the 37 men barricaded in the kitchen have plenty of food.

In the east cell block the prisoners have been without food since the original outbreak yesterday. Frank Trapp Jr., superintendent of Illinois prisons, said: 'We're just going to let them sweat it out.'

If the hoped for riot-ending conference with the psychiatric division inmates is successful, Munie said, Farrin is to threaten the east cell block holdouts with prosecution under the Lindbergh Kidnaping act unless they surrender their hostages.

The 300 convicts bottled up in the east cell block, opposite the psychiatric division, had been without food since the original outbreak late yesterday.

Munie said State Sen. Milton Mueller, member of an Illinois legislative committee which recently investigated Menard, had agreed to try to talk the psychiatric division convicts into surrendering their three hostages and returning to their cells. It was not known just when Mueller would talk to the rebel psychopaths.

If this proves successful, Munie said, the plan was for Michael Farrin, administrative assistant to Gov. Adlai Stevenson, to threaten the east cell block holdouts with prosecution under the Lindbergh kidnaping act unless they surrendered their hostages.

The death penalty may be imposed under the Lindbergh act a federal law.

Earlier the warden had planned to starve the convicts into submission, saying he was afraid any open move against the inmates would cost the hostages their lives.

The east cell block prisoners threatened shortly after the outbreak to hurl the hostages from a 50-foot-high cell tier balcony if authorities used gunfire to subdue them.

TEAR GAS ROUTS LOUISIANA CONVICTS FROM CAMP BARRACK FOLLOWING SIT-DOWN STRIKE

Prisoners Want Better Food, Bathing Facilities and Better Prison Garments

RIOTS ON KOJE ISLAND RESONANT IN UNITED STATES

(By James B. LaFourche)

BATON ROUGE — (ANP) — Two hundred Negro convicts at the Louisiana state penitentiary were routed last Friday from their sitdown strike when state troopers fired three gas shells into their camp barracks and seized 42 ringleaders. The revolt got underway at 5:30 a. m. and was quelled 3½ hours later.

The convicts, inmates of Camp "I" rebelled against leaving the barracks until several demands for better living conditions had been voiced.

Prison Supt. D. D. Bazer, who recently was raked over the coals for ignoring brutality at the prison, sent out a hurried call for help. Eight state troopers responded, armed with tear gas and tommy guns.

State police superintendent, Col. Francis Grevemberg, give this account of the happening:

"Three tear gas shells were fired into the barracks, causing the prisoners to surrender.

"Immediately upon leaving the barracks, 42 of the inmates were seized as the ringleaders went beck to their farm work."

Newspaper men were barred from the scene, but it was learned that the convicts made the following demands:

1. Better food.
2. Better bathing and toilet facilities.
3. More frequent change of prison garments.

At the present time the legislature had under reconsideration bills that would provide more than $2,000,000 for improvements at Angola.

Reed Cozart, newly appointed head of the prison has not yet taken over. He was named to the post by Gov. Robert F. Kennon.

Bazer, a stout advocate of flogging, said he favored whipping the men, but corporal punishment has been abolished. He said further that the Koje Island war prisoner riots and the recent prison strike in North Carolina had apparently given ideas to the inmates, who hear the news over the radio.

Bazar said that the Negroes are taking advantage of the fact that a new man is coming to take over.

He said that Negroes had not usually joined in disturbances at Angola during the past two years and did not take part in the heel-slashing demonstrations which led to the sensational investigations.

Bazar said that the Negroes who rebelled were the "best fed group on the farm."

New Head Taboos Brutal Treatment In La. Prison Setup

BATON ROUGE, La. — (ANP) — The era of torture at Louisiana State penitentary has met its waterloo with appointment of Red Cozart, Angola's head man on leave from the federal prison bureau at Seagoville, Texas, where he served as superintendent.

The appointment of Cozart at the request of Gov. Robert F. Kennon marks the first milestone in the latter's program to rescue the state from the hierarchy of the Long regime and give it again to the people.

Gov. Kennon disclosed that he had turned Angola's problems over to the board of institutions and would do whatever it recommended.

Cozart, 48, veteran of nearly 20 years in the federal prison system, is a bitter foe of prison brutality. He said:

"I certainly can't go along with the idea of convict guards. They say we pamper prisoners at Seagoville, which has sometimes been called a "country club" by critics, but I can think of nothing that would pamper them more than to give them shotguns and authority over other prisoners.

"I don't believe the people of Louisiana would stand for hiring those fellows as supervisors."

More than five Negro inmates have been killed within the last year by white and Negro armed convict guards.

Prisoners also may expect better balanced meals.

A steward or dietician will be employed, and meals will be planned for the big house. Cozart indicated that such a step is "a sensible way to boost morale."

"Basically,' he said, "the problem of personnel will be handeld by the selection of key men with the advice of colleges and other institutions.

"A prison must have good personnel with the ability and the desire to do a good job. They must have pride in their work."

The prison last year was singled out by a registered nurse as a "sewer of degradation." A grusome picture was painted by the informant who labeled Angola a man-made institution of torment.

Cozart said the "clean canefields" was his "best impression" of Angola. He intimated that sugar cane would no longer be the predomiant product; a more varied layout might be expected in farming.

Declaring himself opposed to corporal punishment in any form, the new prison director advocated a "close study unit" for those prisoners who have proven to be discipline problems.

The sweeping cleanup means the end of the whipping posts at St. Gabriel where Negro prisoners were chained in a fiendish steel device for as long as 36 hours and whipped. It also means the end of leasing convict to private industry and their use by political nabobs to perform tasks contrary to the law as laid down by the state constitution.

Cozart said that he wants the press to see the prison as it is now, and come again in a few months to see changes made.

Other plans he said, were development of educational, rehabilitation and recreation departments under the supervision of key men.

200 Prisoners Strike At Angola

ANGOLA, La.—(INS)—Some 200 convicts at Louisiana State prison locked themselves inside and refused to work Friday morning.

Warden D. D. Bazer asked the assistance of state police who used tear gas to route the men.

Bazar said there were 32 ring leaders. Some of these were put in solitary confinement. The rest of the prisoners later went on with their work.

Five Involved In Beating Of Prisoner Are Acquitted

JACKSON, Miss. — A federal court jury at Jackson Wednesday found former Pike County Sheriff Robert E. Lee and four other defendants not guilty on charges of violating the constitutional rights of a Negro prisoner.

Acquitted with Lee were Andrew Jones and Frank Smith, Lee's former deputies; Nolen Wall, county patrol officer, and J. J. Mountfourt, a constable.

Murry Gray, 25-year-old soldier, testified at the trial that the officers handcuffed him to a pine tree and beat him.

ADMITS BRUTALITY

A former Pike County (Miss.) sheriff, Robert E. Lee admitted under oath in federal court that he struck a Negro prisoner with a slap-stick to prevent his escape and to prevent bodily harm to himself.

The five defendants were charged with violating the constitutional rights of a Negro during an investigation of a burglary on July 3, 1950.

CORPORAL IN ARMY

The government charged the five former officers "assaulted, battered and beat" Murry (Sunshine) Gray, a strapping six-foot, 200-pound, 25-year-old Negro who is now a corporal in the U. S. Army attached to the Eighth Army as a truck driver in Korea. He was flown home at the request of the government, to testify at the trial of the five officers.

The officers were charged specifically with handcuffing and torturing the man to extort, force and coerce information and a confession concerning a filling station robbery.

Discuss Lashing in Mississippi Prisons

JACKSON, Miss. — (ANP) — Sen. W. B. Alexander, chairman of the penitentiary committee of the Mississippi State legislature, last week presented a 61-page booklet, "The Lash" carrying on its cover a picture of a prison sergeant holding "Black Annie," a three-foot leather strap which is applied up to 15 times to the body of a prisoner who violates prison regulations.

In describing the lash, Sen. Alexander says: "It is a heavy leather belt about six inches wide with a firm handle to fit the hand. It weighs about three pounds. The prisoner must strip to the waist and lay spreadeagle on the floor in front of his 125 or more camp inmates and 'take it' as applied by the hefty sergeant who hurls the lash.

"If a prisoner balks, and who wouldn't in anticipation of such treatment, then four or five more prisoners, or whatever number is needed, are ordered by the sergeant to hold him down while the lash is applied.

"All this in the presence of other prisoners who stand behind the bars in resentment. Is that the way to instill good citizenship in men and women who some day will be on the outside? No wonder the antagonism against good government."

In the booklet are letters from prison officials throughout the nation denouncing the use of the lash as punishment.

"The purpose of this booklet," Sen. Alexander said, "is to inform Christian Mississippians of this country on correctional methods. They universally condemn Mississippi's barbaric lash."

In addition Sen. Alexander called for the abolishment of the system of convict guards, increasing the number of chaplains to "administer to the soul of the prisoners" and "increase vocational training."

The next session of the legislature is to hear a report of a recess committee created by the house to study corporal punishment at Parchment, the state penitentiary.

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Prisoners End 3-Hour Riot, Free Hostages

34 Give Up Quietly At Bay State Prison; 650 Take No Part

CONCORD, Mass., July 1 (AP).—All 34 rioting prisoners at Concord State Reformatory gave themselves up without a struggle late today after about three hours.

State police reported the prisoners surrendered quietly. They had locked themselves in two rooms with three or four guards and instructors as hostages.

First reports said the disturbance broke out in the kitchen and that the prisoners grabbed the guards and forced them to go along to a storeroom.

State police headquarters said 30 troopers were rushed to the reformatory from Concord, Andover, and Tapsfield barracks and that they had taken along all kinds of equipment, including two lighting plants in the event the disturbance continued after dark.

The riot broke out at about 2:30 p. m. (EST).

Supt. John Dolan said the 35 inmates barracaded themselves in two rooms down near the store house, about in the middle of the reformatory property.

The other 650 prisoners were "all locked in their rooms, thank God," Dolan said.

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South Carolina

Brutal Jailer Is Sentenced

COLUMBIA, S. C.— (ANP) — Convicted in Federal District Court here last week on three of fourteen counts was former jailer Reuben L. Irby, charged with subjecting Negro prisoners to "dark ages" torture while whipping them.

Judge George Bell sentenced the mauler to serve six months or pay a fine of $100.

The three counts on which Irby was convicted involved the beating of three Negro women with leather straps.

Light On 'Dark Ages' Jailer

Torturer Of Women In Prison Gets Fine

COLUMBIA, S.C. (ANP)—Convicted in Federal District Court here last week on three of 14 counts was former jailer Reuben L. Irby, charged with subjecting colored prisoners to "dark ages" torture while whipping them.

The jury was out nine hours before returning a verdict. Judge George Timmerman was of the opinion that the case was not "nearly so serious as it had been publicized" and sentenced the mauler to pay a fine of only $100.

The three counts on which Irby was convicted involved the beating of three women with leather straps. Irby was orginally indicted on 16 counts alleging violation of civil rights of prisoners, men and women, white and colored.

Judge's Opinion Prevails

The judge ordered a directed verdict of acquittal on two charges —that Irby had sexual relations with a prisoner and beat a mental patient. On each count Irby might have been sentenced to a year in jail or fined $1,000, but the judge permitted his own sympathy to tamper with justice when he expressed doubt of the convicted man's guilt.

Judge Timmerman admitted he thought that Irby might have been "a little bit rough at times," after the prosecution had produced eight women who testified that Irby flogged them with broad leather straps and forced other prisoners to pour hot liniment on their wounds.

Unlike the judge, the prosecution summed the case up as "something out of the dark ages," and charged that he also had hung one man upside down and beat another until he was unconscious.

13f 1952 South Carolina

Jailer Gets Jailed For Beating Prisoners

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Judge Timmerman commented to Irby: "While you were jailer at Sumter, you had the reputation of maintaining about the best jail in the state. To my mind that was incompatible or irreconciable with some of the testimony heard in this case."

Judge Timmerman thought that Irby might have been "a little bit rough at times."

Man Jailed On Brutality Charge

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On each count Irby might have been sentenced to a year in jail or fined $1,000, but the judge permitted his own sympathy to tamper with justice when he expressed doubt of the convicted man's guilt, saying that it was a "matter for the jury."

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The prosecution produced eight Negro women who testified that Irby flogged them with broad leather straps and forced other prisoners to pour hot liniment on their wounds.

Unlike the judge, the prosecution summed the case up as "something out of the dark ages," and charged that he also had hung one man upside down and beat another until he was unconscious.

To all of these charges Irby said he was not guilty.

Jailed For Whipping Three Women

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The jury was out nine hours be-

Escaped City Farm Inmate Tells Of Brutal Practices

AUSTIN — Homer Easley, an inmate on the Houston City Farm escaped Sunday evening, He hitched hiked to Austin to see the Governor. He wanted to tell him the undeserved brutality being given the inmates on the City-operated farm.

At 8:05 a.m., he came to the Austin office of the Informer and said that he had been told at the Capital that we would help him. Here is Homer's story. It is reminiscent of the dark ages. He said, "On February 1st, 1952 a white woman driving a 1947 Dodge made a wrong left turn just in front of me, we were turning on Franklin, St. I turned and the cop pulled me over just behind her. I was driving a 1942 Plymouth. I turned left and came to a stop. The cop had made out a ticket for her, but he let her drive away. Then he came to my car and said, "Nigger" sign this ticket." Easly continued 'I told the officer that my car was a 1947 Plymouth and not a Dodge. 'It doesn't make any difference, sign the ticket." He then carried me to the police station and the Judge gave me 17 days on the City Farm, formerly known as Charity House."

Going on 'The guards out there beat Negroes for. fun." He showed the reporter the scar across his nose. He said,' a guard kicked me and hit me in the face. I was told by the guard that I looked like a Nigger that would talk smart to a white man, then he beat me on the head with his black jack. My head aches constantly now as a result of such beatings. The Army refused me because he had a weak heart. I told the doctors, they examined me and told the guards not to treat me badly. I am sick and has been for a number of years, but they beat me, any way.

"I decided that if I remained on the farm, they would kill me, or I would be forced to kill one of them. I put a knife in my belt under my jacket, the guard came by, one mind said, kill him now. Another mind told me to break for freedom and come to Austin and tell the Governor. I just walked right out of the place to the back fence, crawled over it and left, not a word was said to me. It took me from 3 p.m. Sunday until this morning to get to Austin. I walked most of the way, getting a ride only once in a while.

I ran away because one of the guards told me, 'Ole Nigger, I am going to kill you." The Captains and guards beat Negroes until they plead for mercy. I would cry every time they beat one. They treat Negro women the same way. There are about 80 of us out there, white and Negro. They don't beat the white boys. "Easley lives at 2811 1-2 Dowling, St. Houston." "The officers never would let me use a phone. I have served 11 day sof my 17-day sentence."

We made contact with the Governor's office, but he was out of town and was not to be in until Tuesday morning. Easley appeared again this morning un-escorted to the Governor's office, but the Governor remained at the Mansion until leaving for East Texas.

Sheriffs Indicted

HOUSTON — For the second time in Houston a federal jury indicted two Texas sheriffs on charges that they beat a Negro prisoner and deprived him of his constitutional rights.

Indictments were handed down against Sheriff T. A. Cauthen of Walker County and Sheriff John L. Francklow of Grimes county before District judge Allen B. Hannaay Thursday. The case is that of Henry Isaac who is under indictment in connection with a theft charge growing out of the theft of cotton seed and feed from W. S. Davis company warehouse at Shiro in Grimes County. Isaac was charged with receiving and concelling

He was arrested September 21, of 1951 at the home of Lance Ross, Walker County farmer, who had employed Isaac, after he had left his job with the Davis company. Representatives of the company said Isaac left owing the company $900, and Ross told officers that he paid Isaac's debt and employed him.

The indictment charges the sheriffs with depriving Isaac of his right to be tried by the due process of law; his right not to be punished without due process; his right while under custody of persons acting under color of the laws not to be subjected to illegal assault and battery.

A parallel case involved two other Texas peace officers about two years ago. They were indicted and subsequently tried and found guilty and both were given a year's suspended sentence and fined $50.